

POSTMASTER.
KANSAS.

John H. Shields to be postmaster at Wichita, Kans., in place of William C. Edwards. Incumbent's commission expired January 21, 1912.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 21, 1913.

AMBASSADOR.

Thomas Nelson Page to be ambassador extraordinary and plenipotentiary to Italy.

MINISTERS.

Pleasant A. Stovall to be envoy extraordinary and minister plenipotentiary to Switzerland.

William E. Gonzales to be envoy extraordinary and minister plenipotentiary to Cuba.

Benjamin L. Jefferson to be envoy extraordinary and minister plenipotentiary to Nicaragua.

Edward J. Hale to be envoy extraordinary and minister plenipotentiary to Costa Rica.

RECEIVER OF PUBLIC MONEYS.

Harry L. Gandy to be receiver of public moneys at Rapid City, S. Dak.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

The following-named ensigns to be lieutenants (junior grade):

George H. Emmerson,
George E. Brandt.
Robert O. Baush.
John C. Hilliard.
Karl F. Smith.
Owen St. A. Botsford.
Donald T. Hunter.
Henry B. Le Bourgeois.
Cleveland McCauley.
Leslie C. Davis.

MEDICAL RESERVE CORPS.

The following-named citizens to be assistant surgeons:

Edward A. Schumann.
Robert L. Payne, jr.
Bruce Elmore.
Charles C. Ammerman.
William B. Hetfield.
Frank H. Haigler.

POSTMASTERS.

GEORGIA.

Adiel R. Scott, McDonough.

KENTUCKY.

Jordan W. Crossfield, Lawrenceburg.

NEBRASKA.

W. C. Bartlett, Elmwood.
V. W. Clayton, Wisner.
J. B. Lane, Blue Hill.
Frank D. Strobe, Orchard.

NORTH CAROLINA.

J. H. Bowen, West Durham.

OKLAHOMA.

A. Tarlton Embree, Henryetta.
Simon Peter Treadwell, Ryan.
J. Lee Wilemon, Rush Springs.

SENATE.

MONDAY, June 23, 1913.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.
The Journal of the proceedings of Saturday last was read and approved.

REUNION CELEBRATION AT GETTYSBURG, PA.

The VICE PRESIDENT. Under the resolution of the Senate, adopted on Saturday last, the 21st instant, the Chair appoints as the committee on the part of the Senate to attend the reunion celebration at Gettysburg, Pa., July 1, 2, 3, and 4, Mr. NEWLANDS, Mr. BANKHEAD, Mr. SHIVELY, Mr. THORNTON, Mr. NELSON, Mr. WORKS, Mr. BRADLEY, and Mr. DU PONT.

PETITIONS AND MEMORIALS.

Mr. WORKS. I have received several telegrams from the Chamber of Commerce of Stockton, from grape growers and business men of Lodi, and from Chester H. Rowell, in my State,

relative to the proposed change in the tariff bill imposing a tax on spirits contained in California sweet wines. I ask that the telegrams be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the telegrams were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

FRESNO, CAL., June 21, 1913.

Hon. JOHN D. WORKS,
United States Senate, Washington, D. C.:

Proposed change tariff bill imposing internal-revenue tax on spirits contained in California sweet wines would practically ruin the industry; would not produce more than small fraction of the revenue estimated, since little fortified wine would be produced. Sugar instead of alcohol would be added and the alcohol produced by complete fermentation of sugar in grapes in place of present incomplete fermentation; fortification of wines is primarily for purpose of increasing sugar rather than alcohol. Amendment is proposed primarily to give unfair advantage to sophisticated Ohio wines and to eastern alcoholic products used in patent medicines. Proposed tax would be staggering blow to Fresno grape industry already sufficiently menaced by decrease in raisin tariff and proposed reduction Zante currant tariff to 1 cent. Hope you can urge restoration of both wine and currant schedules to figures of House bill.

CHESTER H. ROWELL.

STOCKTON, CAL., June 21, 1913.

Senator JOHN D. WORKS,
Washington, D. C.:

Grape growers appalled at magnitude of disaster threatened by repeal of sweet-wine law. Please do all in your power to impress upon Congress, and especially Finance Committee, that repeal of the sweet-wine law will add only a paltry sum to internal revenues; the imposition of tax of \$1.10 would be practically prohibitive, and while a little wine might be made and sold at very high prices, the bulk of our business would be lost and the Government would fail to get its revenue; would be impossible to compete with foreign wines fortified with free brandy. San Joaquin County has 40,000 acres of grapes affected by sweet-wine industry; tax would amount to \$25 per ton on grapes, which would be fatal to the industry. The sweet vineyards of this State have been planted under the belief that brandy would continue to be subject only to a very nominal tax necessary to reimburse Government for its cost of gauging. You can appreciate the situation, and insist upon at least a proper hearing being accorded by the Finance Committee to the grape growers of California.

STOCKTON CHAMBER OF COMMERCE,
By LOUIS S. WETMORE, President.
By JOHN P. IRISH, Jr., Acting Secretary.

LODI, CAL., June 21, 1913.

Senator JOHN D. WORKS,
Washington, D. C.

DEAR SIR: Our business men and grape growers were astonished at the action of the Finance Committee of the United States Senate in introducing a measure in the Underwood tariff bill providing for the repeal of the sweet-wine law, and feeling the vital interest which this community has in the sweet-wine industry of this State, a mass meeting of the grape growers of this district was called at our theater today. We were again astonished at the tremendous response to our call and the size and magnitude of the meeting. The grape growers here are very much excited, as they all realize the disaster that threatens them should the sweet-wine law be repealed. The following resolutions were passed unanimously with great enthusiasm at the mass meeting, and we have been requested to forward them to you by wire:

"Whereas there are in this district more than 15,000 acres of wine grapes devoted to the manufacturing of sweet wines; and
"Whereas there are in this district more than 15,000 acres of table grapes, a large part of which are used in the production of California sweet wines; and
"Whereas we were induced to engage in the business of growing both table and wine grapes, believing that our outlet through the manufacture of sweet wines was assured by the passage of the sweet-wine bill of 1890: Be it

"Resolved by the grape growers of Lodi and northern San Joaquin County in mass meeting assembled, That we protest against the great injury which will be done to this community if our present sweet-wine law is repealed. It takes many years to bring a vineyard into bearing, and our investments represent at least \$9,000,000. The revenue which will be derived by the United States Government is entirely overestimated in the Senate committee, because the amount of wine which would be produced under a tax of \$1.10 as proposed would be very small."

We sincerely hope that your efforts in this matter will accomplish something and that our industry here will be protected.

Very respectfully, yours,

GRAPE GROWERS AND BUSINESS MEN OF LODI,
By C. E. LAWRENCE, Chairman.

Mr. NELSON presented a resolution adopted by sundry citizens of Duluth, Minn., property owners in the Isle of Pines, West Indies, favoring the retention by the United States of the sovereignty over the Isle of Pines, which was referred to the Committee on Foreign Relations.

Mr. GALLINGER presented petitions of the Audubon Society of Bridgeport, Conn.; Augusta M. Kennedy, of Whitman, Mass.; the California Associated Societies for the Conservation of Wild Life, of Berkeley, Cal.; the Wild Flower Club, of Concord, N. H.; the fish and game commissioners of Trenton, N. J.; the Board of Game Commissioners of Harrisburg, Pa.; E. H. Jewett, of Detroit, Mich.; and from Elsa Tudor de Pierrefeu, of Lakeside, Mich., praying for the adoption of the clause in Schedule N of the pending tariff bill, prohibiting the importation of the plumage of certain wild birds, which were referred to the Committee on Finance.

He also presented a petition of the Commercial Club of Watertown, S. Dak., praying for the exemption of commercial organizations not organized for profit from the operations of the income-tax clause of the pending tariff bill, which was referred to the Committee on Finance.

Mr. CHAMBERLAIN. I have received telegrams from the Chamber of Commerce of Stockton, Cal., and from the grape growers and business men of Lodi, Cal., relative to the proposed repeal of the sweet-wine law. I ask that the telegrams be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the telegrams were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

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Washington, D. C.:

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We sincerely hope that your efforts in this matter will accomplish something and that our industry here will be protected.

Very respectfully, yours,

GRAPE GROWERS AND BUSINESS MEN OF LODI,
By C. E. LAWRENCE, Chairman.

Mr. NORRIS. I have received resolutions adopted by the Nebraska Association of Postmasters, recommending certain changes in the postal service. I ask that the resolutions be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the resolutions were referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED BY NEBRASKA ASSOCIATION OF POSTMASTERS.

The Nebraska Association of Postmasters, in its eleventh annual convention assembled, reiterates its purpose to be the betterment of and progress in the Nebraska postal service. To this end it pledges itself as an organized body and its individual members to exercise the utmost effort to the end that the standard of postal-service efficiency shall ever be raised, regardless of any change in the generalship under which we serve, and to the further end that we leave to our successors an organization that shall be a source of greatest possible aid to them, and that those who follow us individually may promptly and effectively take up the tasks with which we have hitherto been engaged. Pursuant to this, our definite aim, be it

Resolved, That the conviction repeatedly expressed by this organization, and reiterated in 1912, with reference to civil-service extension, still voices the opinion of this body. We are firmly persuaded that civil service should be extended to postmasters of all classes in manner similar to its recent application to fourth-class offices; and it is desired again to call the attention of the public and the press to the merits of such extension, not, however, without the emphatic declaration at this time that such extension should apply and can reasonably be expected to apply only to our successors. We recommend that

after these shall have been appointed the general features of the German majority system in connection with our own civil-service regulations be provided by Congress, eventually permitting the promotion of assistant postmasters, superintendents, railway and local clerks and carriers, upon merit and efficiency system purely, from the lowest to the highest position in the service.

Resolved, That both economy and accuracy in accounting suggest the utmost simplification of the stamp system possible rather than a multiplicity of designs and denominations, and that we respectfully convey to the department our conviction that parcel-post or other distinctive stamps should at least be issued in the same decimal-sheets form used as to first-class postage.

Resolved, That money-order fees be reduced to the same basis upon which other great systems of exchange are conducted.

Resolved, That we recommend the consolidation of the third with the present parcel-post class of mail.

Resolved, That we favor a reduction of the strictly local parcel-post rate.

BILLS AND A JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of Maryland:

A bill (S. 2608) granting an increase of pension to Mary C. Whitson; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 2609) to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904; to the Committee on Commerce.

By Mr. PERKINS:

A bill (S. 2610) granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes; to the Committee on Public Lands.

By Mr. BRADLEY:

A bill (S. 2611) to carry out the findings of the Court of Claims in the cases of Louis Landram, administrator of William J. Landram, deceased, and the legal representatives of James Harvey Dennis; and

A bill (S. 2612) to carry out the findings of the Court of Claims in the cases herein enumerated by payment of the several sums mentioned to those named herein; to the Committee on Claims.

By Mr. BURTON:

A bill (S. 2613) for the relief of Marian E. Gibbon; to the Committee on Claims.

By Mr. JONES:

A bill (S. 2614) granting a pension to William M. Swart; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 2615) granting an increase of pension to William A. Custer (with accompanying papers); to the Committee on Pensions.

By Mr. SWANSON:

A bill (S. 2616) to promote the efficiency of the Public Health Service; to the Committee on Public Health and National Quarantine.

By Mr. JONES:

A joint resolution (S. J. Res. 51) authorizing the delivering to the Dan McCook Post, No. 105, Grand Army of the Republic, at Wenatchee, Wash., of one condemned bronze or brass cannon or fieldpiece and a suitable outfit of cannon balls; to the Committee on Military Affairs.

RAILROADS IN ALASKA.

The VICE PRESIDENT. The morning business is closed.

Mr. CHAMBERLAIN. I ask unanimous consent for the consideration of the bill (S. 48) to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and—

Mr. OVERMAN. Let the bill be read.

The VICE PRESIDENT. The bill will be read for the information of the Senate.

Mr. OVERMAN. Before unanimous consent is given I should like to hear the bill read.

The VICE PRESIDENT. The bill will be read.

The SECRETARY. The Committee on Territories report to strike out all after the enacting clause of the bill and to insert:

That the President of the United States is hereby authorized and directed to cause to be located such main lines for railroads from points on tidewater to the interior as will, in his judgment, best promote the settlement of Alaska, develop its resources, and provide adequate and suitable transportation for coal for the Army, Navy, and other Government services; of troops, arms, and munitions of war; of the mails, and for other Government and public uses, together with such branch lines, feeders, sidings, switches, and spurs as he may deem necessary; and

when such line or lines are located he is hereby authorized to cause to be constructed, completed, equipped, and operated thereon (until otherwise provided by Congress) a railroad or railroads with the necessary equipment, docks, wharves, and terminal facilities: *Provided*, That the President may cause said road or roads to be operated by contract or lease, but no contract or lease shall be for a longer period than 10 years.

SEC. 2. That to enable the President to construct and operate the railroad or railroads and works appurtenant and necessary thereto, as provided in this act, he is hereby authorized to employ, in the ascertainment of the location of said railroad lines and in the construction, completion, equipment, and operation of the same, any of the engineers of the United States Army, at his discretion, and likewise to employ any engineers in civil life, at his discretion, and such other persons as he may deem necessary for the proper and expeditious prosecution of said work. The duties, powers, and compensation of such engineers and other persons employed under this act shall be fixed by the President. The official salary of any official appointed or employed under this act shall be deducted from the amount of salary or compensation provided for or which shall be fixed under the terms of this act. The officers or other persons placed in charge of the work by the President shall make to the President annually and at such other periods as may be required by the President or by either House of Congress full and complete reports of all their acts and doings and of all money received and expended in the construction of said work and in the operation of said work or works, and in the performance of their duties in connection therewith. The annual reports herein provided for shall be by the President transmitted to Congress. The President may acquire, by purchase or condemnation, all property he may deem necessary for the purpose of carrying out the provisions of this act, and he may exercise in the name of the United States the power of eminent domain in the courts of Alaska in accordance with the laws now or hereafter in force for that purpose. A right of way over the lands of the United States in Alaska shall be acquired for such railway lines upon filing in the General Land Office a map or maps approved by the President showing the line of the railroad or railroads and the boundaries of the lands reserved for such road or roads, and the President may, in this manner or otherwise, make reservation of such lands as are or may be useful for furnishing materials for construction and for stations, terminals, docks, and for such other purposes in connection with the construction and operation of such railroad lines as he may deem necessary and desirable; and he may utilize in carrying on the work herein provided for any and all machinery, equipment, instruments, material, and other property of any sort whatsoever used or acquired in connection with the construction of the Panama Canal, so far and as rapidly as the same is no longer needed at Panama; and the said Isthmian Canal Commission is hereby authorized to deliver said property to such officers or persons as the President may designate, and to take credit therefor at such percentage of its original cost as the President may approve, but this amount shall not be charged against the fund provided for in section 5 of this act.

SEC. 3. Subject to the approval of the President the Interstate Commerce Commission shall have the power to fix, change, and modify rates for the transportation of freight and passengers on any railroad or railroads constructed and operated under the provisions of this act, which rates shall be the same to all.

No free transportation or passes shall be permitted and no discrimination as to rates shall be made in favor of the Government or its officers or agents: *Provided*, That the provisions of the interstate commerce laws relating to the transportation of employees and their families shall be in force as to lines constructed under this act.

SEC. 4. That any line of railroad designated and constructed under the provisions of this act may connect with the line of any railroad existing or which may hereafter be constructed in Alaska, or with any steamship line for joint transportation of freight and passengers, and in such case the lines thus connected shall be operated as a through route with through rates upon a fair and reasonable apportionment of revenue and expenses.

SEC. 5. That the Secretary of the Treasury is hereby authorized to borrow, on the credit of the United States, from time to time, as the proceeds may be required to defray expenditures authorized by this act (such proceeds when received to be used only for the purpose of meeting such expenditure, the sum of \$40,000,000, or so much thereof as may be necessary, and to prepare and issue therefor coupon or registered bonds of the United States, in such form as he may prescribe, and in denominations of \$20 or some multiple of that sum, redeemable in gold coin at the pleasure of the United States after 10 years from the date of their issue, and payable 30 years from such date, and bearing interest, payable quarterly in gold coin, at the rate of 3 per cent per annum; and the bonds herein authorized shall be exempt from all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority: *Provided*, That said bonds may be disposed of by the Secretary of the Treasury at not less than par, under such regulations as he may prescribe, giving to all the citizens of the United States an equal opportunity to subscribe therefor, but no commissions shall be allowed or paid thereon, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000,000, to be used for carrying out the provisions of this act, including the expense of preparing, advertising, and issuing the bonds herein authorized, to continue available until expended: *Provided*, That so much of the said sum of \$1,000,000 as shall have been expended shall be reimbursed to the Treasury out of the first proceeds of the sale of said bonds.

SEC. 6. That there is hereby created a redemption fund in the United States Treasury, to be known as the "Alaska railways redemption fund," into which shall be paid 75 per cent of all moneys derived from the sale or disposal of any of the public lands in Alaska, or the coal or mineral contents thereof, or the timber thereon, and into which fund shall be paid the net earnings of said railroad or railroads above maintenance charges and operating expenses; the said redemption fund, or any part thereof, may be used from time to time, upon the order of the President, to pay the interest on the bonds authorized and issued under the provisions of this act, and to redeem, cancel, and retire said bonds, under such rules and regulations as the President may establish.

SEC. 7. That it is the intent of this act to authorize and empower the President to do any and all things necessary to carry out and accomplish the purposes of this act.

Mr. OVERMAN. Mr. President, I feel compelled to object to the consideration of the bill, because it involves the Government ownership of railroads and a large expenditure of money. I think it ought to be considered at another time. I hope the Senator from Oregon will not insist upon the consideration of

the bill now. It is one of the most important measures that can possibly come before the Senate.

Mr. CHAMBERLAIN. Mr. President, it is for that very reason I asked that the bill might be considered. I will say that if the Senate will consent to the consideration of the bill now neither I nor any of the friends of the measure would have it interfere with the business for which this session of Congress was convened, and we would be glad to lay it aside at any time when other matters were pressing for consideration.

I may say in this connection, Mr. President, that the Committee on Territories of the Senate has had this bill under consideration for more than a month; it has given extensive hearings to all parties interested, not only private interests, but officials of the Government as well, and the report on the subject is printed and is accessible to all Members. I think the report will furnish all the information necessary for an intelligent consideration of the measure.

I believe I can safely say, without violating any confidence, that the President of the United States himself, while not committed to any bill, favors the construction of a railroad in Alaska by the Government of the United States, and, in a communication received by the Committee on Territories from the Secretary of the Interior, he expresses his full approval of a measure which will authorize the construction of a railroad into Alaska by the Government.

I know, Mr. President, that there are Senators and there are Representatives who do not approve of the Government construction of railroads in Alaska or elsewhere, but I think it is proper for me to say that Alaska is *sui generis*. It has practically been bottled up from development by the Congress of the United States and by the Executive by the creation of different sorts of reserves, so that private capital has not been invested in Alaska as it ought to be. To some of us at least it seems that for the development of this magnificent empire, the gold and mineral storehouse of the United States, Government assistance and action will be absolutely necessary.

Mr. President, while, as I said, there are Members of Congress who oppose the construction by the Government of a railroad in Alaska, it is not essentially different from the course which the Government has pursued in days gone by. While it is true the Government itself has not constructed a railroad in any part of the country, nevertheless, Mr. President, vast areas of the public domain have been granted to railway corporations for the construction of railroads; and if the United States itself, instead of granting lands to the Northern Pacific, the Union Pacific, the Central Pacific, and other great railway corporations in the country, had saved the lands and expended the moneys which might have been realized from their sale the Government might have sold the land for more than enough to have constructed those or any other railroads in the country.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. CHAMBERLAIN. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I desire to ask the Senator from Oregon if this report was unanimously agreed to by the Committee on Territories.

Mr. CHAMBERLAIN. I will say that it was, so far as the quorum present was concerned. There were a few members who were not able to be there on account of other business.

Mr. GALLINGER. I do not find that any minority report has been filed.

Mr. CHAMBERLAIN. There is no minority report. I will state that the Senator from Minnesota [Mr. NELSON], the Senator from Montana [Mr. WALSH], and possibly one or two others were engaged on other committee work and they would have preferred to have been heard, but they have filed no protest or minority report.

Now, Mr. President, as I said a while ago, in view of the fact that Alaska is practically owned by the Government of the United States, in view of the fact that it contains the coal reserve for the Government, which, in case of trouble, must be utilized by the Government itself for the proper equipping of our Navy, in view of the fact that efforts have been made to acquire valuable mineral deposits in that country by private interests, it seems to me that, owning it as it does, the Government itself ought to enter upon the construction of a railroad in Alaska.

I do hope, Mr. President, in view of the importance of this measure, that the Senate will at this time give consent that the bill may be taken up for consideration. I promise that at any time I will gladly lay it aside for the consideration of the other important bills which the Senate will have to consider.

Mr. NELSON. Mr. President, being a member of the Committee on Territories, from which this bill was reported, I beg leave to state that while I have filed no minority report, I was not present when the bill was agreed to be reported by the majority of the committee, and though I am in favor of giving Alaska aid to a reasonable extent in building railroads, I am utterly opposed to the Government embarking upon the construction and operation of railroads. Therefore, I am opposed to the bill in its present form; but I am not opposed to giving the people of Alaska reasonable and proper aid in securing railroads in that country. However, this is an entirely new proposition, involving the expenditure of \$30,000,000 by the Government in building a road in a country as large as Alaska.

Mr. LODGE. Mr. President, I ask if the morning business has been concluded.

The VICE PRESIDENT. It has.

Mr. OVERMAN. I believe I objected to the consideration of the bill, and all debate is out of order, I think.

Mr. LODGE. Yes; it is. I ask for the regular order.

Mr. BRISTOW. I beg the Senator's pardon; I understood that unanimous consent was given for the consideration of the bill.

Mr. OVERMAN. I only gave consent with the understanding that I would first hear the bill read, and then I would object. That was the understanding. After the bill had been read I interposed an objection. So unanimous consent was not given.

The VICE PRESIDENT. There is objection to the present consideration of the bill.

Mr. BRISTOW. Do I understand that the Senator from North Carolina objects to its consideration?

Mr. OVERMAN. Yes; I object to its present consideration.

The VICE PRESIDENT. The calendar under Rule VIII is in order.

ASSIGNMENT OF DISTRICT JUDGES.

Mr. O'GORMAN. I ask unanimous consent for the consideration of an emergency bill. It is the bill (S. 2254) to amend chapter 1, section 18, of the Judicial Code. There is a great accumulation of business in the Federal Court for the Southern District of New York, in the city of New York, owing to the insufficient number of judges. There is no request for an increase of judges, but the bill provides that the Chief Justice of the Supreme Court, on the request of the senior circuit judge in any circuit, may assign a justice from another circuit to hold court for a limited time. I ask that the bill may be considered.

The VICE PRESIDENT. The Senator from New York asks unanimous consent for the present consideration of the bill which he has indicated. It will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That chapter 1, section 18, of the Judicial Code be amended by adding thereto the following:

"Whenever it shall be certified by any senior circuit judge of any circuit, or, in his absence, by the circuit justice of the circuit in which the district lies, that on account of the accumulation or urgency of business in any district court in said circuit it is impracticable to designate and appoint a sufficient number of district judges of other districts within the circuit to relieve such accumulation or urgency of business, the Chief Justice may, if in his judgment the public interests so require, designate and appoint the judge of any district court in another circuit to hold a district court, and to have and exercise within the district to which he is so assigned the same powers that are vested in the judge thereof: *Provided*, That such judge so designated and appointed shall have consented, in writing, to such designation and appointment: *And provided further*, That the senior circuit judge of the circuit within which such judge so designated and appointed resides shall certify, in writing, that the business of the district of such judge will not suffer thereby. Such appointment shall be filed in the clerk's office and entered on the minutes of the said district court, and a certified copy thereof, under the seal of the court, shall be transmitted by the clerk to the judge so designated and appointed. Each of the said district judges may, in the case of such appointment, hold separately, at the same time, a district court in such district, and discharge all of the judicial duties of the district judge therein."

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. O'GORMAN. I may say, Mr. President, that the Judiciary Committee has unanimously recommended the passage of this bill.

The VICE PRESIDENT. The Chair hears no objection to the request for the present consideration of the bill.

Mr. REED. What is the bill, Mr. President? It has been impossible on this side of the Chamber to hear what has been going on.

Mr. O'GORMAN. The bill provides that whenever there be an accumulation of business in any circuit and the local judges are not able to cope with it, the Chief Justice of the Supreme Court may, on the request of the senior judge of the circuit, appoint a district judge from some other circuit to hold court for a limited time.

Mr. REED. In the circuit court or the district court?

Mr. O'GORMAN. In the district court.

Mr. REED. That he shall designate a circuit judge or a district judge?

Mr. O'GORMAN. A district judge. It requires the approval of the senior circuit judge in each of the two circuits and then the approval of the Chief Justice of the Supreme Court. The bill has been very carefully considered by the entire Judiciary Committee and has its approval.

Mr. REED. When was this bill before the committee?

Mr. O'GORMAN. Some weeks since. There is a crying urgency for this relief at the present time.

Mr. REED. I was not present at the meeting of the committee when the bill was considered.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. REED. There may not be, if the Vice President will be patient just a moment. [A pause.]

Mr. O'GORMAN. Mr. President, I understand there is no objection to the consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. CLARKE of Arkansas. I enter a motion to reconsider the votes by which the bill which has just been passed was ordered to be engrossed for a third reading, read the third time, and passed, so as to leave the bill on the calendar until I can look into it.

The VICE PRESIDENT. The motion of the Senator from Arkansas will be entered.

PRESIDENT'S ADDRESS—PROPOSED CURRENCY LEGISLATION.

Mr. KERN (at 12 o'clock and 25 minutes p. m.). Mr. President, I move that the Senate repair to the Hall of the House of Representatives in accordance with the terms of the concurrent resolution heretofore agreed to.

The VICE PRESIDENT. The Senator from Indiana moves that the Senate repair to the Hall of the House of Representatives.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the order of the Senate.

Thereupon the Senate, headed by the Sergeant at Arms and the Assistant Doorkeeper, and preceded by the Vice President and the Secretary of the Senate, proceeded to the Hall of the House of Representatives.

The Senate returned to its Chamber at 1 o'clock and 15 minutes p. m.

The address of the President of the United States, this day delivered to both Houses of Congress, is as follows:

Mr. Speaker, Mr. President, gentlemen of the Congress, it is under the compulsion of what seems to me a clear and imperative duty that I have a second time this session sought the privilege of addressing you in person. I know, of course, that the heated season of the year is upon us, that work in these Chambers and in the committee rooms is likely to become a burden as the season lengthens, and that every consideration of personal convenience and personal comfort, perhaps, in the cases of some of us, considerations of personal health even, dictate an early conclusion of the deliberations of the session; but there are occasions of public duty when these things which touch us privately seem very small; when the work to be done is so pressing and so fraught with big consequence that we know that we are not at liberty to weigh against it any point of personal sacrifice. We are now in the presence of such an occasion. It is absolutely imperative that we should give the business men of this country a banking and currency system by means of which they can make use of the freedom of enterprise and of individual initiative which we are about to bestow upon them.

We are about to set them free; we must not leave them without the tools of action when they are free. We are about to set them free by removing the trammels of the protective tariff. Ever since the Civil War they have waited for this emancipation and for the free opportunities it will bring with it. It has been reserved for us to give it to them. Some fell in love, indeed, with the slothful security of their dependence upon the Government; some took advantage of the shelter of the nursery to set up a mimic mastery of their own within its walls. Now both the tonic and the discipline of liberty and maturity are to ensue. There will be some readjustments of purpose and point of view. There will follow a period of expansion and new enterprise, freshly conceived. It is for us to determine now whether it shall be rapid and facile and of easy accomplishment. This it can not be unless the resourceful business

men who are to deal with the new circumstances are to have at hand and ready for use the instrumentalities and conveniences of free enterprise which independent men need when acting on their own initiative.

It is not enough to strike the shackles from business. The duty of statesmanship is not negative merely. It is constructive also. We must show that we understand what business needs and that we know how to supply it. No man, however casual and superficial his observation of the conditions now prevailing in the country, can fail to see that one of the chief things business needs now, and will need increasingly as it gains in scope and vigor in the years immediately ahead of us, is the proper means by which readily to vitalize its credit, corporate and individual, and its origination brains. What will it profit us to be free if we are not to have the best and most accessible instrumentalities of commerce and enterprise? What will it profit us to be quit of one kind of monopoly if we are to remain in the grip of another and more effective kind? How are we to gain and keep the confidence of the business community unless we show that we know how both to aid and to protect it? What shall we say if we make fresh enterprise necessary and also make it very difficult by leaving all else except the tariff just as we found it? The tyrannies of business, big and little, lie within the field of credit. We know that. Shall we not act upon the knowledge? Do we not know how to act upon it? If a man can not make his assets available at pleasure, his assets of capacity and character and resource, what satisfaction is it to him to see opportunity beckoning to him on every hand, when others have the keys of credit in their pockets and treat them as all but their own private possession? It is perfectly clear that it is our duty to supply the new banking and currency system the country needs, and it will need it immediately more than it has ever needed it before.

The only question is, When shall we supply it—now, or later, after the demands shall have become reproaches that we were so dull and so slow? Shall we hasten to change the tariff laws and then be laggards about making it possible and easy for the country to take advantage of the change? There can be only one answer to that question. We must act now, at whatever sacrifice to ourselves. It is a duty which the circumstances forbid us to postpone. I should be recreant to my deepest convictions of public obligation did I not press it upon you with solemn and urgent insistence.

The principles upon which we should act are also clear. The country has sought and seen its path in this matter within the last few years—sees it more clearly now than it ever saw it before—much more clearly than when the last legislative proposals on the subject were made. We must have a currency, not rigid as now, but readily, elastically responsive to sound credit, the expanding and contracting credits of everyday transactions, the normal ebb and flow of personal and corporate dealings. Our banking laws must mobilize reserves; must not permit the concentration anywhere in a few hands of the monetary resources of the country or their use for speculative purposes in such volume as to hinder or impede or stand in the way of other more legitimate, more fruitful uses. And the control of the system of banking and of issue which our new laws are to set up must be public, not private, must be vested in the Government itself, so that the banks may be the instruments, not the masters, of business and of individual enterprise and initiative.

The committees of the Congress to which legislation of this character is referred have devoted careful and dispassionate study to the means of accomplishing these objects. They have honored me by consulting me. They are ready to suggest action. I have come to you, as the head of the Government and the responsible leader of the party in power, to urge action now, while there is time to serve the country deliberately and as we should, in a clear air of common counsel. I appeal to you with a deep conviction of duty. I believe that you share this conviction. I therefore appeal to you with confidence. I am at your service without reserve to play my part in any way you may call upon me to play it in this great enterprise of exigent reform which it will dignify and distinguish us to perform and discredit us to neglect.

DIFFERENCES BETWEEN RAILWAY COMPANIES AND EMPLOYEES.

Mr. NEWLANDS. Mr. President, are reports from committees in order?

The VICE PRESIDENT. The morning business has closed. If there be no objection, however, the report will be received out of order.

Mr. NEWLANDS. In behalf of the Committee on Interstate Commerce, I make a favorable report upon the bill (S. 2517) providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees, the

members of the committee reserving the right to offer amendments on the floor.

I will state, Mr. President, in connection with this report that the bill presented has the sanction of the various brotherhoods connected with the employees of the railways of the country and of the Civic Federation and the railway managers. It has also the approval of Judge Knapp, presiding judge of the Commerce Court, and of Mr. Neill, the former Commissioner of Labor, who figured so conspicuously in labor disputes between the railway companies and their employees.

The members of the committee, in view of the preparations that are being made for a strike regarding differences between the railroad companies and their employees, thought it of the highest importance that this effort of the parties interested to arrange a method of conciliation and arbitration should receive the immediate sanction of Congress, and that the methods selected by the parties interested should be adopted, unless they were in conflict with the public good.

I will state that the Secretary of Labor, Mr. Wilson, whilst in sympathy with the general purposes of the bill, has suggested certain amendments, and those amendments will be taken up within a day or two under the auspices of the Civic Federation by the employees and the managers of the railways in consultation with Secretary Wilson.

The view of the railway employees seems to be—and they are very fixed and determined in that view—that the board of mediation and conciliation should not be attached to any department. They fear that political complications may in some way arise in the future, though they have the highest confidence in the man who now presides over the Department of Labor, and they desire these matters to be under the jurisdiction of an independent board, just as Congress has seen fit to give the jurisdiction relating to railroad rates of freight and fare to an independent commission not connected with any department. That is the sole question of difference, I believe, between the Secretary of Labor and the railway employees.

I imagine that within a few days this matter will be adjusted, I hope to the satisfaction of all, and I shall urge at an early day the consideration of this bill. It is hoped in case any amendments are desired by the railway employees that they will be presented at an early date; otherwise it might be advisable to pass the bill in the Senate immediately and have it go to the House, where a similar bill has been presented to the Judiciary Committee of that body, and where all questions of difference between the Secretary of Labor and the railway employees may be thrashed out.

I will state further, Mr. President, that at an early day I shall file a report upon this bill.

I ask unanimous consent to have printed in the RECORD the authorization to report and the bill as reported by the committee.

There being no objection, the authorization of the committee and the bill were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE, COMMITTEE ON INTERSTATE COMMERCE, June 23, 1913.

The undersigned, members of the Committee on Interstate Commerce, hereby authorize a favorable report on Senate bill No. 2517, providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees, reserving the right to offer amendments on the floor.

FRANCIS G. NEWLANDS.
ALBERT B. CUMMINS.
FRANK B. BRANDEGER.
HENRY F. LIPPITT.
JAS. HAMILTON LEWIS.
MOSES E. CLAPP.
WILLARD SAULSBURY.

WM. H. THOMPSON.
ATLEE POMERENE.
T. P. GORE.
JOE T. ROBINSON.
H. L. MYERS.
E. D. SMITH.

A bill (S. 2517) providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees.

Be it enacted, etc., That the provisions of this act shall apply to any common carrier or carriers and their officers, agents, and employees, except masters of vessels and seamen, as defined in section 4612, Revised Statutes of the United States, engaged in the transportation of passengers or property wholly by railroad, or partly by railroad and partly by water, for a continuous carriage or shipment from one State or Territory of the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States.

The term "railroad" as used in this act shall include all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any corporation operating a railroad, whether owned or operated under a contract, agreement, or lease; and the term "transportation" shall include all instrumentalities of shipment or carriage.

The term "employees" as used in this act shall include all persons actually engaged in any capacity in train operation or train service of any description, and notwithstanding that the cars upon or in which they are employed may be held and operated by the carrier under lease or other contract: *Provided, however,* That this act shall not be held to apply to employees of street railroads and shall apply only to employees engaged in railroad train service. In every such case the carrier

shall be responsible for the acts and defaults of such employees in the same manner and to the same extent as if said cars were owned by it and said employees directly employed by it, and any provisions to the contrary of any such lease or other contract shall be binding only as between the parties thereto and shall not affect the obligations of said carrier either to the public or to the private parties concerned.

A common carrier subject to the provisions of this act is hereinafter referred to as an "employer," and the employees of one or more of such carriers are hereinafter referred to as "employees."

SEC. 2. That whenever a controversy concerning wages, hours of labor, or conditions of employment shall arise between an employer or employers and employees subject to this act interrupting or threatening to interrupt the business of said employer or employers to the serious detriment of the public interest, either party to such controversy may apply to the board of mediation and conciliation created by this act and invoke its services for the purpose of bringing about an amicable adjustment of the controversy; and upon the request of either party the said board shall with all practicable expedition put itself in communication with the parties to such controversy and shall use its best efforts, by mediation and conciliation, to bring them to an agreement; and if such efforts to bring about an amicable adjustment through mediation and conciliation shall be unsuccessful, the said board shall at once endeavor to induce the parties to submit their controversy to arbitration in accordance with the provisions of this act.

In any case in which an interruption of traffic is imminent and fraught with serious detriment to the public interest, the board of mediation and conciliation may, if in its judgment such action seem desirable, proffer its services to the respective parties to the controversy.

In any case in which a controversy arises over the meaning or the application of any agreement reached through mediation under the provisions of this act either party to the said agreement may apply to the board of mediation and conciliation for an expression of opinion from such board as to the meaning or application of such agreement and the said board shall upon receipt of such request give its opinion as soon as may be practicable.

SEC. 3. That whenever a controversy shall arise between an employer or employers and employees subject to this act, which can not be settled through mediation and conciliation in the manner provided in the preceding section, such controversy may be submitted to the arbitration of a board of six, or, if the parties to the controversy prefer so to stipulate, to a board of three persons, which board shall be chosen in the following manner: In the case of a board of three, the employer or employers and the employees, parties respectively to the agreement to arbitrate, shall each name one arbitrator; and the two arbitrators thus chosen shall select the third arbitrator; but in the event of their failure to name the third arbitrator within five days after their first meeting, such third arbitrator shall be named by the board of mediation and conciliation. In the case of a board of six, the employer or employers and the employees, parties respectively to the agreement to arbitrate, shall each name two arbitrators, and the four arbitrators thus chosen shall, by a majority vote, select the remaining two arbitrators; but in the event of their failure to name the two arbitrators within 15 days after their first meeting, the said two arbitrators, or as many of them as have not been named, shall be named by the board of mediation and conciliation.

In the event that the employees engaged in any given controversy are not members of a labor organization, such employees may select a committee which shall have the right to name the arbitrator, or the arbitrators, who are to be named by the employees as provided above in this section.

SEC. 4. That the agreement to arbitrate—

First. Shall be in writing;

Second. Shall stipulate that the arbitration is had under the provisions of this act;

Third. Shall state whether the board of arbitration is to consist of three or six members;

Fourth. Shall be signed by duly accredited representatives of the employer or employers and of the employees;

Fifth. Shall state specifically the questions to be submitted to the said board for decision;

Sixth. Shall stipulate that a majority of said board shall be competent to make a valid and binding award;

Seventh. Shall fix a period from the date of the appointment of the arbitrator or arbitrators necessary to complete the board, as provided for in the agreement, within which the said board shall commence its hearings;

Eighth. Shall fix a period from the beginning of the hearings within which the said board shall make and file its award: *Provided*, That this period shall be 30 days unless a different period be agreed to;

Ninth. Shall provide for the date from which the award shall become effective and shall fix the period during which the said award shall continue in force;

Tenth. Shall provide that the respective parties to the award will each faithfully execute the same;

Eleventh. Shall provide that the award and the papers and proceedings, including the testimony relating thereto, certified under the hands of the arbitrators, and which shall have the force and effect of a bill of exceptions, shall be filed in the clerk's office of the district court of the United States for the district wherein the controversy arises or the arbitration is entered into, and shall be final and conclusive upon the parties to the agreement unless set aside for error of law apparent on the record;

Twelfth. May also provide that any difference arising as to the meaning or the application of the provisions of an award made by a board of arbitration shall be referred back to the same board or to a subcommittee of such board for a ruling, which ruling shall have the same force and effect as the original award; and if any member of the original board is unable or unwilling to serve another arbitrator shall be named in the same manner as such original member was named.

SEC. 5. That for the purposes of this act the arbitrators herein provided for, or either of them, shall have power to administer oaths and affirmations, sign subpoenas, require the attendance and testimony of witnesses, and the production of such books, papers, contracts, agreements, and documents material to a just determination of the matters under investigation as may be ordered by the court; and may invoke the aid of the United States courts to compel witnesses to attend and testify and to produce such books, papers, contracts, agreements, and documents to the same extent and under the same conditions and penalties as is provided for in the act to regulate commerce, approved February 4, 1887, and the amendments thereto.

SEC. 6. That every agreement of arbitration under this act shall be acknowledged by the parties thereto before a notary public or a clerk of the district or the circuit court of appeals of the United States, or

before a member of the board of mediation and conciliation, the members of which are hereby authorized to take such acknowledgments; and when so acknowledged shall be delivered to a member of said board or transmitted to said board to be filed in its office.

When such agreement of arbitration has been filed with the said board, or one of its members, and when the said board, or a member thereof, has been furnished the names of the arbitrators chosen by the respective parties to the controversy, the board, or a member thereof, shall cause a notice in writing to be served upon the said arbitrators, notifying them of their appointment, requesting them to meet promptly to name the remaining arbitrator or arbitrators necessary to complete the board, and advising them of the period within which, as provided in the agreement of arbitration, they are empowered to name such arbitrator or arbitrators.

When the arbitrators selected by the respective parties have agreed upon the remaining arbitrator or arbitrators, they shall notify the board of mediation and conciliation; and in the event of their failure to agree upon any or upon all of the necessary arbitrators within the period fixed by this act they shall, at the expiration of such period, notify the board of mediation and conciliation of the arbitrators selected, if any, or of their failure to make or to complete such selection.

If the parties to an arbitration desire the reconvening of a board to pass upon any controversy arising over the meaning or application of an award, they shall jointly so notify the board of mediation and conciliation, and shall state in such written notice the question or questions to be submitted to such reconvened board. The board of mediation and conciliation shall thereupon promptly communicate with the members of the board of arbitration, or a subcommittee of such board appointed for such purpose pursuant to the provisions of the agreement of arbitration, and arrange for the reconvening of said board or subcommittee, and shall notify the respective parties to the controversy of the time and place at which the board will meet for hearings upon the matters in controversy to be submitted to it.

SEC. 7. That the board of arbitration shall organize and select its own chairman and make all necessary rules for conducting its hearings; but in its award or awards the said board shall confine itself to findings or recommendations as to the questions specifically submitted to it or matters directly bearing thereon. All testimony before said board shall be given under oath or affirmation, and any member of the board of arbitration shall have the power to administer oaths or affirmations. It may employ such assistants as may be necessary in carrying on its work. It shall, whenever practicable, be supplied with suitable quarters in any Federal building located at its place of meeting or at any place where the board may adjourn for its deliberations. The board of arbitration shall furnish a copy of its award to the respective parties to the controversy, and shall transmit the original, together with the papers and proceedings and a transcript of the testimony taken at the hearings, certified under the hands of the arbitrators, to the board of mediation and conciliation, to be filed in its office. The clerk of any court of the United States in which awards or other papers or documents have been filed by boards of arbitration in accordance with the provisions of the act approved June 1, 1898, providing for mediation and arbitration, is hereby authorized to turn over to the board of mediation and conciliation, upon its request, such awards, documents, and papers. The United States Commerce Court, the Interstate Commerce Commission, and the Bureau of Labor are hereby authorized to turn over to the Board of Mediation and Conciliation, upon its request, any papers and documents heretofore filed with them and bearing upon mediation or arbitration proceedings held under the provisions of said act.

SEC. 8. That the award, being filed in the clerk's office of a district court of the United States as hereinbefore provided, shall go into practical operation, and judgment shall be entered thereon accordingly at the expiration of 10 days from such filing, unless within such 10 days either party shall file exceptions thereto for matter of law apparent upon the record, in which case said award shall go into practical operation and judgment be entered accordingly when such exceptions shall have been finally disposed of either by said district court or on appeal therefrom.

At the expiration of 10 days from the decision of the district court upon exceptions taken to said award as aforesaid, judgment shall be entered in accordance with said decision, unless during said 10 days either party shall appeal therefrom to the circuit court of appeals. In such case only such portion of the record shall be transmitted to the appellate court as is necessary to the proper understanding and consideration of the questions of law presented by said exceptions and to be decided.

The determination of said circuit court of appeals upon said questions shall be final, and, being certified by the clerk thereof to said district court, judgment pursuant thereto shall thereupon be entered by said district court.

If exceptions to an award are finally sustained, judgment shall be entered setting aside the award in whole or in part; but in such case the parties may agree upon a judgment to be entered disposing of the subject matter of the controversy, which judgment when entered shall have the same force and effect as judgment entered upon an award.

SEC. 9. That whenever receivers appointed by a Federal court are in the possession and control of the business of employers covered by this act the employees of such employers shall have the right to be heard through their representatives in such court upon all questions affecting the terms and conditions of their employment; and no reduction of wages shall be made by such receivers without the authority of the court therefor, after notice to such employees, said notice to be given not less than 20 days before the hearing upon the receivers' petition or application, and to be posted upon all customary bulletin boards along or upon the railway or in the customary places on the premises of other employers covered by this act.

SEC. 10. That each member of the board of arbitration created under the provisions of this act shall receive such compensation as may be fixed by the board of mediation and conciliation, together with his traveling and other necessary expenses. The sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated, to be immediately available and to continue available until the close of the fiscal year ending June 30, 1914, for the necessary and proper expenses incurred in connection with any arbitration or with the carrying on of the work of mediation and conciliation, including per diem, traveling, and other necessary expenses of members or employees of boards of arbitration and rent in the District of Columbia, furniture, office fixtures and supplies, books, salaries, traveling expenses, and other necessary expenses of members or employees of the board of mediation and conciliation, to be approved by the chairman of said board and audited by the proper accounting officers of the Treasury.

SEC. 11. There shall be a commissioner of mediation and conciliation, who shall be appointed by the President, by and with the advice

and consent of the Senate, and whose salary shall be \$7,500 per annum, who shall hold his office for a term of seven years and until a successor qualifies, and who shall be removable by the President only for misconduct in office. The President shall also designate not more than two other officials of the Government who have been appointed by and with the advice and consent of the Senate; and the officials thus designated, together with the commissioner of mediation and conciliation, shall constitute a board to be known as the United States board of mediation and conciliation.

There shall also be an assistant commissioner of mediation and conciliation, who shall be appointed by the President, by and with the advice and consent of the Senate, and whose salary shall be \$5,000 per annum. In the absence of the commissioner of mediation and conciliation, or when that office shall become vacant, the assistant commissioner shall exercise the functions and perform the duties of that office. Under the direction of the commissioner of mediation and conciliation, the assistant commissioner shall assist in the work of mediation and conciliation, and when acting alone in any case he shall have the right to take acknowledgments, receive agreements of arbitration, and cause the notices in writing to be served upon the arbitrators chosen by the respective parties to the controversy, as provided for in section 5 of this act.

The act of June 1, 1898, relating to the mediation and arbitration of controversies between railway companies and certain classes of their employees, is hereby repealed: *Provided*, That any agreement of arbitration which, at the time of the passage of this act, shall have been executed in accordance with the provisions of said act of June 1, 1898, shall be governed by the provisions of said act of June 1, 1898, and the proceedings thereunder shall be conducted in accordance with the provisions of said act.

The VICE PRESIDENT. The bill will be placed on the calendar.

DECISIONS OF UNITED STATES SUPREME COURT.

Mr. SHAFROTH. I ask unanimous consent for the present consideration of Senate resolution No. 103, which has heretofore been reported.

The VICE PRESIDENT. The Senator from Colorado asks unanimous consent for the present consideration of Senate resolution No. 103, which the Secretary will read.

The Secretary read the resolution, as follows:

Resolved, That Senate resolution, adopted on the 20th day of February, 1885, providing for furnishing to Senators pamphlet printed copies of the decisions of the Supreme Court of the United States be, and the same is hereby, annulled.

Mr. SMOOT. I will ask the Senator to let the resolution go over to-day.

The VICE PRESIDENT. Objection is made. The resolution will go over.

ADJOURNMENT TO THURSDAY.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn to meet on Thursday next at 2 o'clock in the afternoon. The motion was agreed to.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened, and (at 1 o'clock and 40 minutes p. m.) the Senate adjourned until Thursday, June 26, 1913, at 2 o'clock p. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 23, 1913.

PUBLIC PRINTER.

Cornelius Ford to be Public Printer.

REGISTERS OF THE LAND OFFICE.

Wade H. Fowler to be register of the land office at Douglas, Wyo.

Cato D. Glover to be register of the land office at Montgomery, Ala.

RECEIVER OF PUBLIC MONEYS.

John S. Hunter to be receiver of public moneys at Montgomery, Ala.

POSTMASTERS.

ALABAMA.

J. F. Frazer, Lafayette.
H. I. Johnson, Sheffield.
S. W. Riddle, Gadsden.
Harlow S. Sharretts, Summerdale.

FLORIDA.

Marcy B. Darnall, Key West.
W. H. Hoffman, Dunnellon.
Edward C. Lewis, Marianna.
Alma P. Martin, Melbourne.
Lula Newton, Winter Garden.

ILLINOIS.

Thomas Moyer, Paris.

INDIANA.

Lewis E. Chowning, Dugger.

KENTUCKY.

A. B. Tilton, Carlisle.

MICHIGAN.

John S. Hardy, Honor.

MINNESOTA.

Simon P. Brick, Little Falls.

John Deviny, Owatonna.

Charles H. Dietz, Mapleton.

G. A. Earhuff, North St. Paul.

John F. Flynn, Worthington.

Michael Hollaren, Ellsworth.

F. W. Kramer, Lewiston.

Mark T. Randall, Amboy.

Enoch E. Ritchie, Howard Lake.

Hugh Toohey, Fulda.

MONTANA.

J. S. Pearson, Belt.

NORTH CAROLINA.

J. H. Carter, Mount Airy.

P. J. Caudell, St. Pauls.

OHIO.

Rufus R. Kurtz, Sycamore.

Clement V. Bash, Edon.

Arthur L. McCarthy, Franklin.

J. E. Rubin, Payne.

OKLAHOMA.

William Barrowman, Purcell.

J. W. Chism, Medford.

James E. Wallace, Broken Bow.

PENNSYLVANIA.

Matthew M. Cusack, Steelton.

Frank C. Fisher, Cheltenham.

TEXAS.

A. H. Ables, Terrell.

Robert W. Bennett, Kenedy.

Alice C. Cheney, Mount Pleasant.

A. S. Farmer, Graham.

Annie F. Higbee, Slaton.

Edward Kennedy, Anson.

D. P. Porter, De Kalb.

L. H. Salter, Stanton.

Thomas A. Stafford, Robstown.

Tom R. Stewart, Whitney.

VIRGINIA.

W. A. Broocks, Chase City.

J. D. Crenshaw, Cambria.

Lula M. Ray, Mount Jackson.

J. R. Williams, Brookneal.

WEST VIRGINIA.

C. A. Bailey, Berwind.

Henry W. Early, Kimball.

A. A. Meredith, Sistersville.

R. V. Shanklin, Gary.

WISCONSIN.

A. H. Long, Prairie du Chien.

HOUSE OF REPRESENTATIVES.

Monday, June 23, 1913.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O righteous God, our heavenly Father, we bless Thee that we can come to Thee in prayer, detaching ourselves for the moment from the visible world, entering into the invisible; that we may commune with Thee, be strengthened, purified, ennobled, and passing from the mount of transfiguration down into the valley where with renewed zeal and energy we may do the work Thou hast given us to do, and receive Thy benediction; so receive us, so bless and guide us that we may be Thy servants now and always, in the spirit of the Master. Amen.

The Journal of the proceedings of Friday, June 20, 1913, was read and approved.

CONTESTED-ELECTION CASE—WILLIAM J. MACDONALD AGAINST H. OLIN YOUNG.

The SPEAKER. The House will be in order. The Chair will admonish the occupants of the galleries that they are there

through the courtesy of the House; and a very little talk on the part of each one in the galleries makes a tremendous uproar down here upon the floor of the House.

The Chair lays before the House the following letter from the Clerk of the House, with accompanying documents.

The Clerk read as follows:

JUNE 23, 1913.

HON. CHAMP CLARK,
Speaker of the House of Representatives.

SIR: I have the honor to lay before the House of Representatives the contest case of William J. MacDonald against H. Olin Young, twelfth district of Michigan, for a seat in the House of Representatives for the Sixty-third Congress of the United States, notice of which has been filed in the office of the Clerk of the House, and also transmit herewith all original testimony, papers, and documents relating thereto.

The Clerk has opened and printed the testimony in the above case. In compliance with the act approved March 2, 1907, entitled "An act relating to contested-election cases," such portions of the testimony in the above case as the parties in interest agreed upon or as seemed proper to the Clerk, after giving the requisite notices, have been printed and indexed, together with the notices of contest and the answers thereto, and such portions of the testimony as were not printed with the original papers have been sealed up and are ready to be laid before the Committee on Elections.

Two copies of the printed testimony in the case have been mailed to the contestant and the same number to the contestee.

SOUTH TRIMBLE,
Clerk of the House of Representatives.

The SPEAKER. The Clerk informs the Chair that there are about 500 copies of this evidence, and so forth, printed, and therefore there does not seem to be any necessity, unless some gentleman thinks there is, of printing any more copies; and the case is referred to the Committee on Elections No. 1.

SWEET WINES.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to print some telegrams in the RECORD.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks in the RECORD.

Mr. MANN. Mr. Speaker, reserving the right to object, what is the matter the gentleman has?

Mr. RAKER. Telegrams in relation to the repeal of the sweet-wines law of 1890.

Mr. MURDOCK. Mr. Speaker, will the gentleman tell us what he desires, as we can not hear him over here?

The SPEAKER. Does the gentleman yield to the gentleman from Kansas [Mr. MURDOCK]?

Mr. RAKER. I do.

Mr. MURDOCK. I merely ask the gentleman to speak so we can hear him over here. The gentleman from Illinois asked the gentleman from California in regard to what he desired to extend his remarks, and the gentleman from California answered, but we could not hear him.

Mr. RAKER. I desire to extend my remarks by inserting some telegrams I have received from various associations, organizations, and so forth, of grape growers in California in relation to the tariff bill as it has now gone before the Senate caucus committee in reference to the repeal of the act of 1890 relative to sweet wines.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The telegrams are as follows:

STOCKTON, CAL., June 21, 1913.

HON. J. E. RAKER,
Congress Hall, Washington, D. C.:

Grape growers appalled at magnitude of disaster threatened by repeal of sweet-wine law. Please do all in your power to impress upon Congressmen, and especially Finance Committee, that repeal of the sweet-wine law will add only a paltry sum to internal revenues. The imposition of \$1.10 would be practically prohibitive, and while a little wine might be made and sold at very high prices, the butt of our business would be lost, and the Government would fail to get its revenue; would be impossible to compete with foreign wines fortification with free brandy. San Joaquin County has 30,000 acres of grapes affected by sweet-wine industry. Tax would amount to \$25 per ton on grapes, which would be fatal to the industry. The sweet-wine vineyards of this State have been planted under the belief that brandy would continue to be subject only to a very nominal tax, necessary to reimburse Government for its cost of gauging. You can appreciate the situation and insist upon at least a proper hearing being accorded by the Finance Committee to the grape growers of California.

STOCKTON CHAMBER OF COMMERCE,
By LOUIS S. WETMORE, President.
By JNO. P. IRISH, Jr., Acting Secretary.

SAN FRANCISCO, CAL., June 21, 1913.

HON. JOHN E. RAKER,
House of Representatives, Washington, D. C.:

The proposed tax of \$1.10 on brandy to fortify wines will vastly increase the cost and will positively decrease the consumption to a great extent. This will in reality constitute the confiscation of vineyards in California, as it will paralyze the industry, and the revenue to Government will therefore fall far below the estimated amount. We earnestly urge you to oppose the tax to utmost.

FULTON WINERY CORPORATION.

SAN FRANCISCO, CAL., June 21, 1913.

HON. JOHN E. RAKER,
House of Representatives, Washington, D. C.:

The proposed tax of \$1.10 on brandy to fortify wines will vastly increase the cost and will positively decrease the consumption to a great extent. This will in reality constitute the confiscation of vineyards in California, as it will paralyze the industry, and the revenue to Government will therefore fall far below the estimated amount. We earnestly urge you to oppose the tax to utmost.

MADERA VINEYARD & WINE CO.

SAN FRANCISCO, CAL., June 21, 1913.

HON. JOHN E. RAKER,
House of Representatives, Washington, D. C.:

The proposed tax of \$1.10 on brandy to fortify wines will vastly increase the cost and will positively decrease the consumption to a great extent. This will in reality constitute the confiscation of vineyards in California, as it will paralyze the industry, and the revenue to the Government will therefore fall far below the estimated amount. We earnestly urge you to oppose the tax to utmost.

ITALIAN-SWISS COLONY.

LODI, CAL., June 21, 1913.

HON. J. E. RAKER, M. C.,
Washington, D. C.

DEAR SIR: Our business men and grape growers were astonished at the action of the Finance Committee of the United States Senate in introducing a measure in the Underwood tariff bill providing for the repeal of the sweet-wine law; and feeling the vital interest which this community has in the sweet-wine industry of this State, a mass meeting of the grape growers of this district was called at our theater to-day. We were again astonished at the tremendous response to our call and of the size and magnitude of the meeting. The grape growers here are very much excited, as they all realize the disaster that threatens them should the sweet-wine law be repealed. The following resolutions were passed unanimously with great enthusiasm at the mass meeting, and we have been requested to forward them to you by wire:

"Whereas there are in this district more than 15,000 acres of wine grapes devoted to the manufacturing of sweet wines; and

"Whereas there are in this district more than 15,000 acres of table grapes, a large part of which are used in the production of California sweet wines; and

"Whereas we were induced to engage in the business of growing both table and wine grapes, believing that our outlet through the manufacture of sweet wines was assured by the passage of the sweet-wine bill of 1890: Be it

"Resolved by the grape growers of Lodi and northern San Joaquin County in mass meeting assembled, That we protest against the great injury which will be done to this community if our present sweet-wine law is repealed. It takes many years to bring a vineyard into bearing, and our investments represent at least \$9,000,000. The revenue which will be derived by the United States Government is entirely overestimated in the Senate committee, because the amount of wine which would be produced under a tax of \$1.10, as proposed, would be very small."

We sincerely hope that your efforts in this matter will accomplish something and that our industry here will be protected.

Very respectfully, yours,

GRAPE GROWERS AND BUSINESS MEN OF LODI,
By G. E. LAWRENCE, Chairman.

SAN FRANCISCO, CAL., June 21-22, 1913.

HON. JOHN E. RAKER,
House of Representatives, Washington, D. C.:

The proposed tax of \$1.10 on brandy to fortify wines will vastly increase the cost and will positively decrease the consumption to a great extent. This will in reality constitute the confiscation of vineyards in California, as it will paralyze the industry, and the revenue to Government will therefore fall far below the estimated amount. We earnestly urge you to oppose the tax to utmost.

SEBASTOPOL WINERY.

SAN FRANCISCO, CAL., June 21-22, 1913.

HON. JOHN E. RAKER,
House of Representatives, Washington, D. C.:

The proposed tax of \$1.10 on brandy to fortify wines will vastly increase the cost and will positively decrease the consumption to a great extent. This will in reality constitute the confiscation of vineyards in California, as it will paralyze the industry, and the revenue to Government will therefore fall far below the estimated amount. We earnestly urge you to oppose the tax to utmost.

CLOVERDALE WINE CO.

SAN FRANCISCO, CAL., June 21, 1913.

HON. J. E. RAKER,
House of Representatives, Washington, D. C.:

A tax of \$1.10 on brandy used for fortification of sweet wines will increase their cost 150 per cent, curtailing consumption to an extent ruinous to the grape growers and winemen of California. The industry can not carry this burden and the Government will not be able to collect the estimated revenue. Earnestly appeal to you to oppose the imposition of this tax and save grape growers from loss of investment in their vineyards.

CALIFORNIA WINE ASSOCIATION.

SAN FRANCISCO, CAL., June 21, 1913.

HON. JOHN E. RAKER,
House of Representatives, Washington, D. C.:

Amendment to Underwood bill which would repeal act of 1890 allowing use of free brandy in fortification of sweet wines would absolutely ruin California's viticultural industry. It would make the cost of sweet-wine production so great that sale would fall off two-thirds and no sweet wine could be exported. As a result, cheap, inferior dry wines would be made in Sacramento and San Joaquin Valleys and counties south of Tehachapi, thus demoralizing the dry-wine production and

lowering standard of our dry wines. Price of grapes would drop to nothing and thousands of acres of vines would be pulled up. Please talk over matter with other members of delegation and advise us.

GRAPE GROWERS' ASSOCIATION OF CALIFORNIA,
E. M. SHERMAN, President.
H. F. STOLL, Secretary.

MARSHALL ARNOLD.

Mr. RUSSELL. Mr. Speaker—

The SPEAKER. The gentleman from Missouri [Mr. RUSSELL].

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a well written and a deserved tribute to the life, character, and memory of the late Hon. Marshall Arnold, written by his lifetime friend and neighbor, Albert de Reign.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD by inserting a tribute to the life, character, and memory of the late Hon. Marshall Arnold, written by Albert de Reign. Is there objection? [After a pause.] The Chair hears none.

Mr. RUSSELL. Mr. Speaker, Mr. Arnold was formerly a Member of this House, serving in the Fifty-second and Fifty-third Congresses. He was one of Missouri's most brilliant sons, an able lawyer, a gifted orator, faithful to every trust, a noble character, and a true friend.

A TRIBUTE TO THE MEMORY OF MARSHALL ARNOLD, BY ALBERT DEREIGN.

"Hon. Marshall Arnold, ex-Congressman of the fourteenth congressional district of Missouri, and for 40 years one of the leading lawyers of southeast Missouri, after a lingering illness of about two years' duration, died at his home in Benton, Mo., on June 12, 1913.

"He was a native of St. Francois County, Mo., where he was born October 21, 1845. Elisha Arnold, his father, as well as his mother, were natives of Virginia. The early boyhood days of 'Marsh,' as he was familiarly called by his numerous friends and acquaintances, were spent upon his father's farm and in the acquirement of such rudimentary education as the country schools of that day afforded. While yet in his teens he served in the Confederate Army shortly before the close of the Civil War. After the close of the war he returned to farming and working in the mines of his native county for a short time, when he received an appointment as deputy circuit clerk of St. Francois County. He was also deputy county and probate clerk of said county. His father, Elisha Arnold, a man of marked integrity, held the office of sheriff and collector of St. Francois County, and he assisted him in that office about this period of his life.

"At an early age Marshall attended Arcadia College, which was at that time one of the leading educational institutions in the State, where he rapidly distinguished himself as a brilliant and hard-working student. He graduated with honor at the college, and became one of its instructors, holding the position of professor of mathematics until he severed his connection with the institution to enter other fields of endeavor.

"During the time that he held the office of deputy circuit clerk he was studying law in the office of Mr. Bush, at that time one of the leading lawyers of St. Francois County, and in 1870 Marshall obtained his license to practice law at the St. Francois County bar.

"His experience was that common to most young lawyers having little or no capital beyond their brains and ambition, and while waiting for the patronage of prospective clients and to enable him to meet the demands of his livelihood he taught school for a term or so. * * * He took up his residence at Commerce, at that time the county seat of Scott County. Here he soon attracted the favorable attention of the best citizens by his attractive personality, his scholarly attainments, his ability as a lawyer, his eloquence as a public speaker, and his all-round qualities for good citizenship. Joseph T. Anderson, one of the Democratic leaders in southeast Missouri, then holding the office of sheriff and collector, at once began to interest himself, his friends, and the public in behalf of the young lawyer, and but a short time elapsed when through his political influence Marsh was elected prosecuting attorney of Scott County. At this period in the history of Missouri, particularly the southeastern portion, public affairs were miserably out of joint. 'The body politic,' as George Vest would say, was having sores all over it. The country had just been subdued by the loyal legions of the North. When these had returned to their homes and laid down their arms there followed in their wake a swarm of cormorants, known as carpetbaggers, who in the name of the Republican Party took charge of the county government and made their headquarters at Commerce. They removed the county seat away from Benton, where it had been for 40 years, in fact ever since the organization of the county, and took it to Com-

merce. They sold the county's public lands and made way with the proceeds. Exorbitant taxes were exacted from the citizens, yet the treasury was habitually empty. County warrants were hawked about and sold for a few cents on the dollar. Persons who had been in the rebel army or who had sympathized with the late rebellion were disfranchised, their property looted, their peace destroyed by threats and intimidations.

"Gangs of horse and cattle thieves, murderous robbers, midnight assassins, thugs, and unscrupulous gamblers infested the western borders of the Mississippi River for hundreds of miles along its tortuous shores. It was during this abnormal condition of public affairs in the early seventies that the reform element under the ensign of the Democratic Party, with such leaders as Joe Anderson and Marsh Arnold, often at the risk of their lives, met in the public arena the forces of corruption battling under a grand old party that then ruled the country and swept them from the field of action. This defeat was so thorough that more than 40 years have elapsed and the said grand old party still suffers for the evils of its long-ago vanquished partisans.

"From the moment of his installation into the prosecuting attorney's office Marsh Arnold instituted a vigorous crusade against lawlessness. Gangs of horse thieves, who had regularly established stations for hundreds of miles up and down the Mississippi River, were ferreted out and sent to the penitentiary in droves. Murderers were tried, convicted, and hung. Many of those who had enriched themselves by looting the county's funds departed for other sections of the common country, and law and order assumed the reign over a county that had for several years suffered the tortures of a terrible nightmare of lawlessness and political and official corruption. It must not be assumed that this reform was brought about by ordinary effort. On the contrary, it required herculean powers to clean this Augean stable. It could not have been performed by other than such men as Marsh Arnold. It took the highest degree of courage, the greatest integrity, and the sublimest powers of oratorical persuasion to turn the corrupted, timid, and discouraged political tide back into the proper channels of orderly government. Numerous threats of bodily harm and death were openly and clandestinely conveyed to him to deter him from his vigorous prosecution of criminals. It is needless to say that all such agencies fell short of their purpose. It was thus developed to the law-abiding element of the county, to their agreeable surprise, that there was such a thing as government by the law, and that they had within their midst an avowed champion pledged to its enforcement with all the powers of a born leader of men.

"It is, perhaps, needless to add that the successful conduct of the prosecuting attorney's office, as indicated above, permanently established the fame of Marshall Arnold as a lawyer and advocate of the first rank. Clients flocked to his office from all directions. At the age of 35 years he had, perhaps, as great a clientage as any lawyer in the State. His services were eagerly and anxiously sought in important causes in Scott, Mississippi, Cape Girardeau, New Madrid, Pemiscot, Stoddard, and other counties in the southern end of the State. Not only were his legal services in great demand, but the charm of his eloquence as a public speaker was so infectious and had spread with such rapidity over a large section of the State that he constantly had to decline many importunities for addresses and political speeches for lack of time.

"He was one of the most powerful advocates before a jury or popular audience within the State. He had a voice of great volume and splendidly modulated, an incisive and distinct articulation, a naturally dignified posture, and the serious manner of his beginning an address, the magnetic flashes of his eyes as the whirlwind of his eloquence neared its zenith to end in a thunderous peroration often wrought like hypnotism upon his hearers. He was the most successful jury lawyer the writer ever knew. For many years, in jury trials, it was not a question before the local courts as to the merits of the case, but usually 'on which side is Marsh Arnold?' That settled it, for the fellow who got Marsh was sure going to win the case. This supremacy as a jury lawyer before the courts in southeast Missouri, for the last 30 years at least, I think is cheerfully conceded by all his confrères at the bar. With all this fame as a leader of his chosen profession, he was with all the personification of modesty and simplicity, and lived up to the high ethics of the profession of law to the admiration and emulation of the legal fraternity of his acquaintance. But he did not believe in Quixotic ethics, such as have been caricatured by humorous artists in personations of 'Alphonse and Gaston.' As an illustration of this I call to mind an incident which happened some years ago. Marsh was passing through the courthouse one day when a stranger stepped up to him and said:

"'Would you please tell me who is the best lawyer in Benton?'

"Certainly," replied Marsh. "His name is Arnold."

"Would you kindly tell me where I can find him, for I have an important matter to submit to him?"

"Certainly—you are talking to him right now."

"After consulting with the stranger about his case, Marsh declined the employment. The stranger said he was sorry that he couldn't get him and asked for the next best lawyer in town. 'Here he comes now,' Marsh replied, as he good-humoredly introduced the writer and related what he had just told the stranger.

"In making this claim to first rank in his profession Marsh was simply saying of himself what he knew to be the judgment of a vast majority of the people of the community. In his active years of practice in the courts, as well as in his declining ones on account of ill health, he held the continuous respect and esteem of all members of the bar. He was the friend of the young and inexperienced lawyer making his first venture into the legal arena, and acts of assistance to such in the trials of their first cases are no doubt remembered by many. While somewhat reserved in his manner by nature, he was, nevertheless, one of the most companionable men with his associates. He was an interesting conversationalist upon all questions of human concern—historical, scientific, religious, political, literary, or forensic.

"He was by education and heredity a Democrat of the Jeffersonian type. Simple and unaffected in his habits, he enjoyed the society of the farmer, the artisan, and the common laborer. As a result of his interest in their welfare and the welfare of the county as a whole, as evidenced by the great reforms he had brought about as prosecuting attorney, he was at the age 32 elected a member of the Thirty-first General Assembly of Missouri in 1877 and reelected to the same body in 1879. As a legislator he immediately distinguished himself, both in important committee assignments and upon the floor of the house. His services as a member of the legislature brought him a State-wide acquaintance with the leading men of the State, and the many friends he made there among men who, like himself, afterwards distinguished themselves as Congressmen, United States Senators, governors, etc. In 1880 he declined further service in the legislature, but accepted the appointment of presidential elector of the fourteenth congressional district tendered him by his party in convention, on account of his distinguished qualifications as a party leader and popularity as a public speaker. He made a canvass of the entire district, one of the largest at that time in the State, consisting of 17 counties, and the result of his labors was evidenced by the tremendous majority his party received at the polls on the day of election. This success naturally furthered his ambition to enter the National Congress, and in 1884 he became a candidate for Congress before the Democratic convention. But the fourteenth district at that time had several ambitious and worthy sons who desired to serve their country in that distinguished office, and after a long and hotly contested convention, where each aspirant was long and loyally supported by his delegates, the choice fell to William Dawson, of New Madrid.

"In 1886 he was again enthusiastically put forward by his numerous friends for the same office, but the gods of war and of politics again handed the nomination to one of his rivals, James P. Walker, of Stoddard County. Finally, in 1889, his popularity had made such successful headway that he obtained the nomination almost unanimously and was elected by a good majority to the Fifty-second Congress and with a like good fortune to the Fifty-third in 1893. In 1894 he was again unanimously nominated by the Democrats of the district, but at the election which followed, which, by the way, was one of the most disastrous in the history of the party, brought about by division of opinion on the currency question, he suffered defeat at the hands of his Republican opponent, N. A. Moseley. His defeat was not the result of want of confidence in him personally, for the entire Missouri Democratic delegation to Congress were defeated that year, and he but shared the fate of such eminent leaders in Congress as Richard P. Bland, David A. De Armond, CHAMP CLARK, Cowherd, and others. After this defeat Marsh retired from active politics and devoted his time and energy to the practice of his profession, which he practically abandoned during his activities in the field of politics. His short career in Congress, however, demonstrated the wisdom of the people in sending him there as their Representative. He was faithful, as he had ever been, to the trust they had reposed in him. His voice and his vote were at all times in favor of such measures as he and his party believed were for the general welfare of all. His reported speeches made before Congress on the tariff, currency, and other questions are models of deliberate effort.

"From 1894 to 1910, a period of 16 years, Arnold declined all political offices and devoted his time to the practice of the law. It is true his party interest did not flag during that time. He was sent as a delegate to various State and National conventions, and was one of the delegates to the national convention at Chicago when Bryan won the nomination for President over Dick Bland by his 'Cross of Gold—Crown of Thorns' speech. He made many political speeches during campaign years. His last stand for public office was made at the earnest solicitation of his many friends in 1910 when he became a candidate for the Democratic nomination for the office of circuit judge of the twenty-eighth judicial district. And though he received a majority in four of the five counties in the circuit he could not overcome the popularity of his distinguished opponent, Hon. Charles B. Faris, now a member of the supreme court.

"He was now 65 years old, and the relentless disease which was destined to carry him to the grave had fastened its fangs upon him. With his Spartan fortitude, without complaint to those about him, throughout long days and nights of weariness and pain, he was at last forced to surrender to that inexorable decree denounced upon our first parents in the garden of Eden, and under the doom of which we all rest: 'Dust thou art and to dust shalt thou return.'

"Thus passed from the scene of action a native Missourian who had for more than 40 years wielded the best that was in him to steer aright the great ship of state, both local and national, and who was prominently identified with every progressive movement for the betterment of mankind in the home and county of his adoption.

"In early manhood Marshall Arnold was married to Miss Annie E. Parrott, an only daughter of Col. James M. Parrott and Maria Parrott, who survives him. Col. Parrott was a brave and gallant officer of the Confederate Army and lost his life on the field of battle. Of this marriage the following children were born: Eva M. (Mrs. Burton), Surry A., Blanche (deceased), James M., Lucile, Robert Lee (deceased), and Irene (deceased), all of whom now living have arrived at their respective majorities. To his wife and children Marsh Arnold was one of the kindest and most affectionate husbands and fathers. I have known him intimately for 33 years, and I have never heard a cross word, even in the way of reprimand, to any member of the family.

"Before disease had made its inroads upon his body he was a man of commanding appearance. Though small of stature, his figure was impressive, somewhat of the Napoleonic type, particularly when he was animated in forensic argument. He had that notable magnetism of the eyes peculiar to great leaders of men. The writer has on many occasions noted this distinguishing feature of orators in the persons of Daniel Voorhees, John J. Ingalls, Senator George G. Vest, Sam Jones, and others. I mention these celebrities because Marsh Arnold belonged to their type both in the matter of temperament and style of oratory. He had a discriminating literary taste. His intimate familiarity with the best works of the great masters of prose and poetry was notable. Blessed with a wonderfully retentive memory, I have heard him on many occasions reproduce the masterpieces of Shakespeare, Tennyson, Byron, Poe, Burns, Longfellow, Bryant, Prentice, Webster, Calhoun, Kent, and others without break or hesitation long years, no doubt, after he had committed them to memory.

"Thus in the life and character of Marshall Arnold we have a notable example of the rewards of industry, perseverance, courage, fortitude, honesty, and patriotism by the high estimation in which he was held by his many friends and the well-earned fame he achieved in the minds of the people of his native State.

"And thus amidst the fragrant scent of flowers, the hum of bees, the sweet songs of care-free birds, the myriad murmurs of insect life, commingled with the solemn requiem of funeral rites and tears of those who loved him, under the opal sky of this glorious morn in June, with the majestic sun looking down in all his undiminished splendors—the same as 'when first the flight of years began'; among the graves into whose open, yawning mouths the dead friend had often gazed with the same sad thoughts we entertain to-day, his Masonic brethren, in the presence of a large throng of friends, committed his frail body to its mother earth to await the glad clarion of the resurrection day."

CURRENCY.

MR. LEVY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

THE SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the Record. Is there objection?

MR. MANN. In relation to what matter?

MR. LEVY. In relation to the currency question.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. LEVY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting the bill introduced by me in the last as well as the present Congress amending the national banking laws, together with the remarks made by me before the Banking and Currency Committee of the House in support of my bill during the Sixty-second Congress and an editorial which appeared in to-day's New York Times on the financial problem. I consider the currency question of vast importance to the prosperity and welfare of our country, and the bill introduced by me would give prompt relief to the people without causing any uneasiness in the financial community, as it is permissible instead of compulsory.

The matter referred to is as follows:

A bill (H. R. 1937) to amend the national banking laws.

Be it enacted, etc., That any holder of any obligation of the United States bearing interest at the rate of 2 per cent per annum may present the same to the Treasurer or any Assistant Treasurer thereof and receive in exchange therefor an equal amount of noninterest-bearing certificates of deposit in appearance and form similar to the present gold and silver certificates and in denominations of \$5, \$10, \$20, \$50, and \$100 each, at the holder's option. Such certificates shall be receivable at their face value for all taxes, debts, and demands due the United States, and when so received may be reissued.

Sec. 2. That the holder of any such certificate may, at his option, present the same to the Treasurer of the United States and receive in exchange therefor, when presented in multiples of \$500, interest-bearing obligations of the Government to the face value of such certificates, bearing interest from the date of such exchange at the rate of 2 per cent per annum, and payable on the same terms and conditions as the original obligation represented by such certificates.

Sec. 3. That the exchange of interest-bearing obligations for certificates of deposit and the reexchange thereof shall be subject to such rules and regulations as the Secretary of the Treasury may adopt in order to facilitate the free exchange thereof.

Sec. 4. That any United States note when presented in multiples of \$500 may be converted at par into United States bonds bearing 2 per cent interest per annum, and payable at the option of the Government, and when so converted shall be canceled and destroyed.

Sec. 5. That any national banking association may, upon application, receive from the Comptroller of the Currency circulating notes to the full amount of its capital stock, provided such notes are secured either by a deposit of United States bonds, as now required by law, or by a gold coin reserve of 50 per cent of the amount not thus secured by United States bonds; of such gold coin reserve, at least one-half shall always be kept with the United States Treasury, to the credit of such banking association, available for the redemption of its circulating notes upon presentation. Certificates of deposit for gold coin, issued by the United States Treasury, shall be considered as equivalent to gold coin.

Sec. 6. That all circulating notes issued under the provisions hereof shall constitute a prior lien on all the assets of the issuing bank, and in case of liquidation, whether voluntary or involuntary, all such outstanding notes shall be redeemed and canceled, or a sufficient amount thereof deposited with the United States Treasury, before any division of assets among other creditors. In the event there should be insufficient assets to pay the outstanding circulating notes of the liquidating bank any deficit shall be assessed and paid pro rata by all other banks having outstanding circulating notes under the provisions of this act at the time of such assessment.

Sec. 7. That the act of May 30, 1908, is hereby amended as follows: In section 1 the word "National," where it first appears, is hereby erased, and in section 1 and section 3 the words following the word "outstanding" are hereby repealed and erased, to wit, "secured by the deposit of bonds of the United States to an amount not less than 40 per cent of its capital stock." Section 20 of said act of May 30, 1908, limiting its duration, is also hereby repealed.

Sec. 8. That all circulating notes issued under the provisions of the act of May 30, 1908, shall be subject to the same rate of taxation as was provided by section 5214 of the Revised Statutes prior to the passage of said act, for circulating notes issued against a deposit of United States bonds bearing 2 per cent interest.

Sec. 9. That for the purpose of the daily exchange of checks and drafts among the bank members composing a national currency association, such members may assume, by a majority vote, the functions necessary for such exchanges, thus constituting themselves a clearing-house association, under such rules and regulations as they may adopt for their own governance, subject to the approval of the Secretary of the Treasury.

Sec. 10. That any national currency association may issue certificates of indebtedness to any bank member of such association against a deposit of satisfactory security, which indebtedness shall bear interest at the rate of 6 per cent per annum, chargeable to the bank member receiving the same. Such certificates shall be receivable at par by other bank members of all such associations in settlement of clearing-house debit balances, and for a period not exceeding 60 days from the date of issuance may be counted as a part of any bank's legal reserve, not exceeding 25 per cent thereof.

Sec. 11. That whenever the available cash balance in the Treasury shall exceed the sum of \$30,000,000 it shall be the duty of the Secretary of the Treasury, in his discretion, to require such excess to be distributed equitably and deposited to the credit of the Treasurer of the United States in such designated banks as may by him be selected. Such deposits shall bear interest as may be determined by competitive bids, and are to be payable on demand to the order of the Treasurer, or such person as he may designate, and are to be limited in amount as to any one bank to 50 per cent of its capital and surplus, but the Secretary shall require, before any deposit is made, adequate security to the full extent of such deposit. They may be secured by a deposit with the Treasurer of bonds which are a legal investment for postal savings banks, or by approved commercial bills or notes maturing within four months, indorsed by the depository bank, with the right of substitution, the face value of such notes to be at least 50 per cent in excess of the amount secured thereby. Such deposits may also be secured by the guaranty or indorsement of the National Currency Association (organized under the act approved May 30, 1908), of which the depository bank is a member. In case of voluntary or involuntary

liquidation, and in the event the collateral security held therefor is insufficient, such deposits shall constitute a prior lien on all the assets of the depository bank, after the payment of the circulating notes has been provided, as specified in section 6 of this act.

Sec. 12. That any national banking association having a paid-up capital and surplus amounting to \$5,000,000 may establish one or more places of business in the capital or a seaport city of any foreign country, or dependencies of the United States, for the purpose of facilitating exchanges, granting commercial letters of credit and incident thereto accepting time drafts, dealing in gold coin or bullion, and such other business as is authorized by its charter; but such association shall not issue or receive from the Comptroller of the Currency circulating notes in any other unit of value than the dollar of the present standard, though it may be expressed upon the face of such circulating note the equivalent in foreign gold coin at which it is redeemable on presentation. Such place of business shall be denominated a foreign department or branch, and shall be subject to the same visitatorial and other powers as are now conferred by law on the Comptroller of the Currency for all national banking associations; any additional expense attending the periodical examination of such foreign department or branch or the issuance of its circulation shall be assessed and paid by the parent institution.

Sec. 13. That it shall be lawful for any national banking association to loan of its assets not exceeding in the aggregate 25 per cent of its capital and 75 per cent of its surplus upon real estate security.

Sec. 14. That all provisions of the national-bank act allowing balances due from other banks located in designated reserve cities to be counted as a part of a bank's "legal money reserve" are hereby repealed.

Sec. 15. That the total liabilities of any national banking association (exclusive of its capital stock and surplus) now required by law to keep 15 per cent lawful money reserve shall not exceed 5 times its capital and surplus, and the similar liabilities of any national banking association now required by law to keep 25 per cent lawful money reserve shall not exceed 10 times its capital and surplus, unless in each case such excess liabilities are fully covered by additional cash assets equal to such excess, but any such association may voluntarily elect to keep 25 per cent lawful money reserve and be entitled to assume liabilities to the extent of 10 times its capital and surplus.

Sec. 16. That the Treasurer or any Assistant Treasurer of the United States is hereby authorized to transfer funds without charge from any depository bank or subtreasury to another against a deposit with him of gold coin or currency, and hereafter it shall be unlawful for any national banking association to make any charge for exchange in making similar domestic transfers.

Sec. 17. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

BANKING AND CURRENCY REFORM.

STATEMENT OF HON. JEFFERSON M. LEVY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK.

"Mr. LEVY. Mr. Chairman, in considering the matter of currency reform and the legislation necessary to remedy the evils of the system, or want of system, under which our monetary affairs are conducted, I feel sure that in reflecting upon the various suggestions which have been made to you you must have found the necessity of fixing some guiding principles to direct your thoughts, or else you would be lost in the maze of varied standpoints from which the subject is considered and treated by those who have appeared before you.

"I have tried to put myself in your place and consider the question from the standpoint exclusively of the welfare of the whole country, irrespective of benefit to any particular interest.

"It appears to me that the problem to be solved is this: To legislate whereby the debts of the banks may be safely substituted by the people for coin in their daily interchange of property and service with a reasonable profit to the banks.

"There is much confusion of thoughts in the public mind and in our minds about many banking terms, such as 'money,' 'deposit,' and 'credit,' unless we look into fundamental facts and be sure we mean the same thing when we use them.

"Let us eliminate the idea that the business of this country, or of any country, is done with 'money,' used in the sense of the thing which cancels debt. It is the 'substitute for money' which is used—'credit' it is usually called; 'debt' it is in reality. Credit can not exist unless debt is created.

"All banking everywhere is but a transfer and interchange of debts, except where the ownership of coin is changed, and coin is not thus used to the extent of 1 per cent of such interchange.

"I have said we must legislate whereby the debts of the banks may be safely substituted for coin. These debts are 'deposits' and 'circulating notes.' Deposits are utilized through the medium of checks, and circulating notes by delivery without recourse. The former constitutes about 95 per cent of the medium of exchange, and the latter less than 5 per cent. These are called 'credit instruments,' but the 'credit' comes from the people who accept them—they are in reality the debt of the banks which create them, and are accepted by the people as a 'substitute for coin.'

"Now, our problem is that the people may safely make this substitution with a reasonable profit to the banks.

"In the bill, H. R. 27139, now before you I have endeavored to offer a solution for this problem. In my remarks before the House on January 11 last, I have already considered in detail each of the provisions of the bill, and I would respectfully call your attention to them as a part of what I say to-day.

"The general scope of the provisions of the bill may, however, be stated in principles involved and recapitulated as follows:

"First. To restore the bank function of note issue.

"I maintain that banking is a business necessity in every commercial community, and that its functions are the growth and development of that necessity. These functions are called 'discount,' 'deposit,' and 'circulation,' and all of them are the various modes of interchange of debts between the banks, its customers, and the public.

"I maintain that the function of 'circulation' or note issue is as much a necessity to the public as is the function of 'discount' or 'deposit,' and that we have destroyed the function of note issue by the 10 per cent prohibitory tax of the national-bank act.

"I maintain that the present bank note, or 'bond-secured currency' is not an exercise of the bank function of note issue, because it does not come into being in response to a trade demand; that it is a mere certificate of indebtedness, which represents an assumed debt of the Government, by the banks, or, in other words, an exchange of debts; that the real debt is the Government bond pledged as security for the bank note. The Government's necessity required that the bank function of note issue should be destroyed in order that the Government debt would be carried by the people, and such debt is now carried in the form of the existing bank note, though the necessity no longer exists. The public is the creditor, the Government is the debtor, and the bank is the go-between, or medium of transfer.

"This condition should be remedied by allowing the true relations between the parties to be restored and the bank to resume its normal functions. This can be done by getting rid of the bond-secured bank currency, or by allowing the banks to issue circulating notes in addition to those outstanding, and hence in excess of their capital stock.

"It has appeared to me that the former plan is best, and by the method I have suggested, to wit, the interchangeable bond, we retain this Government debt, where it now is carried by the people in the form of a circulating note, as a certificate of deposit issued by the Government. We save the Government interest on the debt when in the form of a circulating note, and we pay the same interest as now when the debt is in the form of bonds. We leave the public to determine in what proportions the debt shall be carried in response to business demands, i. e., whether in the form of bonds or bond-currency certificates, and thereby establish to the extent of the present outstanding 2 per cent bonds a Government elastic currency.

"This currency is fixed as to its maximum amount by the authorized amount of 2 per cent bonds which can be issued. There are now outstanding about \$730,000,000 of these bonds, of which about \$698,000,000 are held by the Treasury as security for bank notes and public deposits. Those held by the Treasury for bank notes, about \$684,000,000, can not be exchanged into bond certificates until the bank notes for which they are now held are canceled or their redemption otherwise provided for, and hence in practice the initial exchange of nearly all the bonds into bond certificates must be made by the banks themselves.

"The bill allows banks to issue circulating notes, against a gold reserve of 50 per cent, of which at least one-half must be kept with the United States Treasurer for their redemption upon presentation. This allows the banks to resume the bank function of note issue under restrictions which afford ample protection to the public, and at the same time gives them an inducement in the way of profit about 1 per cent better than the present bond-secured currency offers, figuring on the basis of a 6 per cent interest rate.

"The effect of these two provisions will be that the present bond-secured bank currency will be gradually replaced by the bond-secured Government currency. A proper bank currency on a gold basis can then be utilized by the public as the demands of trade require, responsive in volume to those demands through the redemption feature at the Treasury. The United States Treasury will become the clearing house for all bank debts in the form of circulating notes, and they will have the same elasticity that bank debts in the form of deposits now have, through the daily cancellation of checks by means of bank clearing houses.

"Second. To remove from our statutes the evidences of fruitless efforts to create values by legislation.

"Value with us must be fixed as it is with the rest of the world by the ratio between demand and supply. We can not override commercial laws, and time only serves to demonstrate that all efforts in this direction are attended with penalties which enforce themselves and prove the futility of the effort. I may recall some of these inconsistencies, viz:

"We have legislated that governmental 'paper promise to pay' (greenbacks) shall be accepted in discharge of private

debts, whether the promise is kept or broken, and we have declared this law unconstitutional and then reversed the decision.

"We have legislated that this Government circulating note shall be paid off, retired, and canceled, and then legislated it shall not be.

"We have legislated that silver shall be purchased and coined into dollars at a fixed sum per month, and, finding they would not circulate, have legislated that paper representatives shall be given for these coins; then by legislation have doubled the monthly purchase, and then repealed both laws.

"We have legislated that silver bullion shall be purchased and held in order that the paper representative of such purchase might be used as a circulating medium, and then called an extra session of Congress to repeal such legislation.

"We have bought our own bonds in the market at a high premium for cancellation, virtually prepaying interest to maturity, in order to get our paper promises into circulation, and then been forced to sell new bonds at a lower premium in order to retire these paper promises without discredit.

"We have been forced by the necessities of the case to provide a gold reserve for the redemption of our money and to pledge our good faith that such reserve shall be held inviolate.

"We adopt another fiction as a corollary of this fiction and say 'paper promises' and debts due by certain banks shall be 'legal reserve' for the people's deposits in other banks. We know that the proper reserve against all indebtedness must be the thing which finally cancels and discharges debt, and that this thing is gold; and yet we attempt to deceive ourselves by affixing before the word 'reserve' the word 'legal' and imagine thereby we have created value.

"I want to do away with these fictions and let our banking system be founded on sound, economic principles which the experience of mankind has demonstrated to be sound.

"The bill provides that greenbacks may be funded into 2 per cent bonds (made interchangeable as indicated), and that 'Due from reserve agents' shall not be counted as any part of a bank's reserve.

"We might fund greenbacks into a bond paying a higher rate of interest, but it has appeared to me it would be wiser to allow the privilege of converting them into these 2 per cent interchangeable bonds, for the reason that greenbacks now form a part of the circulating medium, and it would be unwise to interfere with the volume thereof, except as business interests may automatically adjust it.

"You will see from the provisions of the bill that greenbacks would be gradually replaced by bond-currency certificates as the demands of trade might require, and that the exchange or funding is entirely voluntary.

"My remarks of January 11 show conclusively, I think, the pernicious effects of allowing the debts due from banks located in reserve cities to be considered as a part of the required reserve of country banks.

"It seems to have been a strange inconsistency in the framers of the national-bank act to draw a distinction between the debt of a bank located in the city from that of the bank located in the country, especially when this differentiation was made in the same law, simply by calling these cities 'reserve cities.'

"It may have been intended, in view of the fact that it was provided that circulating notes of country banks should be redeemable by the 'reserve agent,' that the reserve of the country bank would be partly kept with such agent, losing sight of the fact that such reserve, when converted into a 'deposit' with the city bank, was no longer the reserve of the country bank but only the debt of the city bank.

"As country bank notes are no longer redeemable by reserve agents, the supposed reason for this provision does not now exist, and I feel sure you will approve the suggestion of doing away with the fiction that 'due from reserve agents' constitutes a proper 'reserve.'

"Third. To provide some reserve source of credit.

"Experience has shown us that in periods of financial disturbances, which periods seem to be inseparable from the frailties of human nature, and to come as a result of overtrading and speculative excesses, that in order to preserve the commercial organism we must have some reserve source which will maintain credit and allay panic. We have found this source in clearing-house certificates. These, as you know, are the joint obligations or debts of the banks which compose clearing-house associations, and have always served the purpose of their issuance without loss to anybody.

"The act of May 30, 1908, legalizes this issuance of joint indebtedness, and under it national currency associations have been organized with an aggregate capital and surplus of over \$575,000,000, which means that practically more than one-fourth

of the national banking capital of the country is already combined, and thereby provided the necessary machinery for meeting panicky conditions.

"This law expires by limitation in 1914, which provision it is necessary to repeal, and also the provision requiring an outstanding issue of 40 per cent of capital in bond-secured notes before its benefits can be availed of. In addition to this there is a prohibitory tax of 5 per cent per annum, increasing additionally at the rate of 1 per cent per month.

"H. R. 27139 repeals these clauses and leaves the measure available as a reserve source of credit. Since the introduction of this bill subsequent reflection and consultation with others has induced me to suggest a further amendment of the act of May 30, 1908, so as to allow the banks composing the national currency associations to legally issue a joint 'certificate of indebtedness' available only for the settlement of clearing-house balances, and hence confined in circulation among themselves. This will enable the banks composing the association to pool their assets in identically the same manner as clearing-house associations have heretofore found it necessary to do (when clearing-house certificates were issued), and thus adopt the remedy which has heretofore been effective without calling upon the public for the general circulation of emergency notes, as is contemplated in the act of May 30, 1908.

"With such provision the banks would be in the position to adopt either remedy in whole or in part, as in their combined judgment would be best, and they necessarily are best qualified for such decision.

"The proposed amendment is as follows:

"[Amendment, act of May 30, 1908.]

"Any national currency association may issue certificates of indebtedness to any member of such association, against a deposit of satisfactory security, which indebtedness shall bear interest at the rate of 6 per cent per annum, chargeable to the bank member receiving the same, and shall be receivable at par by other bank members of such association in settlement of clearing-house debit balances, and for a period not exceeding 60 days from its date may be counted as a part of the bank's required reserve, not exceeding 25 per cent thereof.

"This act of May 30, 1908, contemplates the exercise of the bank function of note issue only in times of emergency. It has been suggested that the corporate powers of the national currency associations should be enlarged so that the bank function of note issue may be confined to these associations, and that the reserves of other banks may be consolidated and kept with them, or, following the same idea, that zones or territories should be designated in which all the banks of each zone may be consolidated into one association for the purpose of note issue and to hold the reserves of other banks in that zone. This follows somewhat the Aldrich idea of centralization of the banking power, though not to so great an extent. I believe the plan is open to some, though not all, of the objections to a central bank.

"We must remember that the concentration of reserves into one or more banks necessarily implies that the debt of the reserve or zone bank shall be considered the reserve of the depositing bank. It may be argued that this concentration of reserves will prevent competition among the banks themselves for increased reserves in times of panic; but if the law provides an ample minimum reserve to be held in the banks' vaults and the banks know that there is always available a reserve credit through the national currency associations, there will be no occasion for this competition or struggle to increase individual bank reserves.

"The competitive struggle has been occasioned in the past by the nonexistence of sufficient total reserve in the whole country to meet the requirements of the law in times of shaken confidence. This insufficiency was due to the fact that 'due from reserve agents,' though legally called 'a reserve,' was found to be, temporarily, an unavailable debt in the form in which it was needed.

"Again, it is argued that these zone banks will afford opportunity or market for rediscounting paper by individual banks through the issuance of circulating notes by the zone banks. It must be remembered that the circulating note, whether issued by the zone bank or the individual bank, represents a debt for which the credit must be supplied by the public, and that the coin reserve for such debt must come from somewhere. If the individual banks are to supply this coin, wherein is the advantage to the individual bank or the public over issuing its own notes and retaining the coin reserve in its own vaults? Besides this, I doubt the wisdom or expediency of encouraging the rediscount of paper under normal conditions. I consider the facilities ample to-day for rediscounting paper through bank connections for all ordinary business requirements. We can not create capital by legislation, and the fact that a bank continuously wants paper rediscounted indicates that it is trading beyond its normal resources and requires additional capital.

"I am inclined to the opinion that it is wiser and better to preserve the individual units of our banking system by strengthening them with the ability to utilize all normal bank functions—'discount,' 'deposit,' and 'note issue'—under reasonable restrictions consistent with the public welfare, and to provide the opportunity for them to voluntarily combine legally in financial emergencies in order to meet the necessities of industrial crises or commercial panic.

"If I have stated the problem correctly, I believe the provisions of the bill (H. R. 27139) will furnish a reasonable and rational solution that will conform to the business interests of the country, and one which its industrial, commercial, and unselfish banking representatives will indorse.

"I leave you to examine critically the provisions of the bill in detail, to each of which I have referred in my remarks of January 11. I think the three general propositions which I have announced and commented on cover the essential features of the measure.

"There are other provisions which, though perhaps not involving principles, will, in my opinion, be highly advantageous as affecting the mechanism of banking and conducive to its safety as well as to the benefits the public will derive therefrom. These may be briefly summarized as follows:

"First. Limit the amount which the circulating medium of the country may be reduced through the collection of revenues by fixing a maximum amount for the 'working balance' of the Treasury, beyond which the excess is to be deposited with the banks.

"Second. Allow banks of fixed minimum capital to establish branches in foreign countries for the purpose of encouraging and facilitating foreign trade, enlarging the powers of these banks so as to enable them to follow the necessary requirements of this trade.

"Third. Allow loans upon real estate security to a limited extent so as to meet the requirements of banks established in agricultural communities, in accordance with the expressed wish of a majority of the banks.

"Fourth. Establish some reasonable limit of indebtedness by the banks in proportion to capital and surplus, as a matter of security to the public, so as to fix a safe point beyond which they may not be used to foster overtrading and inflation through excessive loans or discounts and the deposits thereby created.

"Fifth. Consider what provision is necessary to establish the circulation of checks at par everywhere, as is now the case with circulating notes. I have suggested and provided in the bill the prohibition of any 'exchange' charge, which, I believe, will lead to the establishment of one central clearing house to be composed of other clearing-house associations.

"At the time the Committee on Rules was considering the resolution providing for an investigation of the so-called Money Trust, I appeared before that body and told them that what we needed was remedial legislation and not investigation, and that statement has proven to be correct. Even though the committee appointed by the House to investigate the so-called Money Trust spent large sums of money, they have learned very little, if anything, of importance, and what they did ascertain could and would have been furnished without an investigation if a written request had been made of the witnesses who appeared before the committee.

"The investigation has created great disturbance in the financial world. The effects have been far-reaching and will take a long while to overcome. As yet no remedial legislation, such as the proposition I have before you, has been adopted, and, in my judgment, the consideration of this bill alone would have been of much more service to the country than all the investigations which have taken place.

"I thank you, gentlemen, for your attention and assure you that it is my most earnest desire to contribute everything in my power toward the proper solution of this monetary question, which I believe to be the most important in its far-reaching results and benefits of any now before this Congress or likely to come before the next."

[From the New York Times, Monday, June 23, 1913.]

POLITICAL FINANCE.

The party in power is construing its mandate on the tariff into a mandate for enacting the sort of finance with which it is connected historically, and which the country has rejected even oftener than it has voted for the revision of the tariff. It is necessary to admit that the bill contains some good things and that it is better than the Democratic platforms of the last several campaigns. But not for that reason should the banking of the country be submitted to the strain through which its business interests are passing. Politics makes strange bed-fellows, and fairness of discussion makes it necessary to admit the necessity which compelled the President to allow his partners to make the experiment of the proposal of Government—that is, of political—finance.

The result is a welcome demonstration that the country will have none of it, not even to secure at that price much that it wants. The country never had a sounder or stronger appreciation of the fact that

banking and business both require less governmental interference rather than more. There are specific reasons in the case of banking, but the underlying principles are stronger and broader than banking alone. The tariff is under revision because of the excess of paternalism, and it is at the time that the evils of paternalism are under demonstration and illustration in the case of general business that the party which represents opposition to paternalism proposes to set it up in exaggerated form for banking. The party of opposition to centralization of government, and which is offended by the name "central bank," proposes to establish a form of banking which is more centralized than even the Aldrich proposal and which leaves the United States Bank "tied to the post," as an illustration of speed in getting away from ancient party traditions.

The country is in no mood for such mockery. It has repudiated the Republicans' preposterous proposal to guarantee profits by the tariff, and it knows exactly what to do with a Democratic proposal to give the Government "absolute control" of the national banking system with a view to "promote a stable price level." No owner of bank shares is going to give absolute control to anybody else. A bank is not a helpless public utility like a railroad, and there is no necessity that any national bank should remain in the system. Those who appreciate the situation are already plainly declaring that their capital will not participate in the plan. Nor is the proposal to regulate prices any happier. The regulation of prices is no more a suitable function of government than the regulation of profits or of wages. Every man has a right to profits or wages as high as he can make in compliance with the customs imposed by that universal conscience called the common law. Limitation of profits or wages is handicapping of efficiency at unendurable loss to the total welfare. The regulation of prices is artificial disturbance of prices. At what level shall prices be stabilized? Shall "a rate of discount be made mandatory" to keep prices up or down, and how is it that this simple expedient has not been discovered before? How shall discount be made both mandatory and different for different Federal reserve banks? Shall the mandate be applied to the banks alone; and if so, to what purpose? What is the use of a mandate to regulate discount by the banks unless there is also a mandate that borrowers shall pay the mandate rate?

These questions are asked in the hope that they will suggest the broader principles which are of as specific application to banking as to other business. Power and responsibility should never be separated, because all action should be with regard to the consequences of the acts done. The idea that the banking of the Nation should be at the mercy of politicians of second or third class caliber rather than in the care of bankers whose interests are inextricably bound up with the prudence of their management is foolish beyond expression. Not less absurd is the idea that good banking is the product of statutes. The world's best banking is where banking is most free from interference except by laws applying to all trade. In China there is a custom that when a bank fails the officers' heads shall be thrown in among the assets. If the Government's appointees as bank managers should submit themselves to a similar requirement they would act under a sense of responsibility which might make them as careful as the men representing those who own the capital they administer. We are seeing the railways administered with indifference to the woes of their owners, and we are seeing the trusts disintegrated with especial severity against the largest and best of them. To expect the owners of banking capital to allow themselves to be subjected to the experiences testified to by Mr. Gary and Mr. Perkins is to expect the impossible. The proposal carries with it the possibilities of greater embarrassments than are being experienced with such disillusionment in the industrial world. Stop it, gentlemen, before you suffer through the country's suffering.

ANNIVERSARY CELEBRATION, BATTLE OF GETTYSBURG.

Mr. BARTON. Mr. Speaker, I rise for information. An editorial printed in the Washington Times of yesterday, under the caption "The Gettysburg Danger," says:

It would be disgraceful carelessness if the great reunion of the blue and the gray on the battlefield of Gettysburg a few days hence should be turned into a tragedy of suffering and very likely deaths for want of adequate preparation.

That is the very condition that Secretary of War Garrison plainly fears. He has notified the commission managing the reunion that the Government appropriation is inadequate to care for more than 40,000. Beyond that number the veterans will be without housing or rations, and after they are dumped off the railroad trains at the battlefield it will be of small benefit to them that their pockets may be well filled with money if the money will buy nothing.

It goes on further and says:

The weather right now suggests the awful possibilities of such a situation. It is impossible, of course, to know how many people will be attending, but the Secretary of War fears that the number will be far in excess of provision for care. It would be a national scandal if this semicentennial of the great battle should bring another slaughter of veterans on that immortal field. Not many more times will there be such reunions, for there will be none to reunite.

Now, is this true that the appropriation is not adequate and that the Secretary of War is asking for more money?

The SPEAKER. What is it that the gentleman wants to know?

Mr. BARTON. I desire to know whether the Secretary has filed any complaint or request for an additional appropriation or any bill with the committee or with the Speaker of the House.

The SPEAKER. He has not filed any with the Speaker of the House.

Mr. MANN. Mr. Speaker, I submit there is only one way in which the Secretary of War can communicate with the House, and that is by a communication to the Speaker.

The SPEAKER. No such communication has come to me.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1353. An act to authorize the board of county commissioners of Okanogan County, Wash., to construct and maintain a

bridge across the Okanogan River at or near the town of Malott; and

S. 103. An act authorizing the Secretary of War to grant permission for the erection of a hotel on the Fort Huachuca Military Reservation in Arizona.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 1917) making appropriations for the contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. STONE, Mr. MYERS, and Mr. CLAPP as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 10.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 23d day of June, 1913, at 12.30 in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make them.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 103. An act authorizing the Secretary of War to grant permission for the erection of a hotel on Fort Huachuca Military Reservation in Arizona; to the Committee on Military Affairs.

OPIMUM.

Mr. HARRISON of New York. Mr. Speaker, by direction of the Committee on Ways and Means, I desire to submit a report on the bill H. R. 1967 (H. Rept. 22).

Mr. MANN. Mr. Speaker, I ask that it be reported from the Clerk's desk, so that we may know what it is.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill (H. R. 1967) regulating the manufacture of smoking opium within the United States, and for other purposes.

Mr. MANN. Mr. Speaker, I think it should be referred to the Union Calendar.

The SPEAKER. It will be referred to the Committee of the Whole House on the state of the Union.

RECESS.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the House stand in recess until 12.25 p. m.

Mr. MANN. Make it 12.30.

Mr. FITZGERALD. Then I will make it 12.30.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that the House stand in recess until 12.30 p. m. Is there objection?

There was no objection.

Accordingly (at 12 o'clock and 14 minutes p. m.) the House stood in recess until 12.30 p. m.

At the expiration of the recess the House resumed its session.

JOINT SESSION OF SENATE AND HOUSE.

At 12 o'clock and 30 minutes p. m. the Doorkeeper announced the Vice President of the United States and the Members of the United States Senate.

The Members of the House rose.

The Senate, preceded by the Vice President and by their Secretary and Sergeant at Arms, entered the Chamber.

The VICE PRESIDENT took the chair at the right of the Speaker and the Members of the Senate took the seats reserved for them.

The SPEAKER. The Chair announces as a committee on the part of the House to wait upon the President Representatives UNDERWOOD, FITZGERALD, and MANN. The Vice President will announce the committee on the part of the Senate.

The VICE PRESIDENT announced as the committee on the part of the Senate Senators KERN, REED, and GALLINGER.

At 12 o'clock and 55 minutes p. m. the President of the United States, attended by members of his Cabinet and escorted by the joint committee of Senators and Representatives, entered the Hall of the House, standing at the Clerk's desk, amid applause on the floor and in the galleries.

The SPEAKER. Senators and Representatives, I present to the Sixty-third Congress the President of the United States.

The PRESIDENT. Mr. Speaker, Mr. President, gentlemen of the Congress, it is under the compulsion of what seems to me a clear and imperative duty that I have a second time this session sought the privilege of addressing you in person. I know, of course, that the heated season of the year is upon us, that work

in these Chambers and in the committee rooms is likely to become a burden as the season lengthens, and that every consideration of personal convenience and personal comfort, perhaps, in the cases of some of us, considerations of personal health even, dictate an early conclusion of the deliberations of the session; but there are occasions of public duty when these things which touch us privately seem very small; when the work to be done is so pressing and so fraught with big consequence that we know that we are not at liberty to weigh against it any point of personal sacrifice. We are now in the presence of such an occasion. It is absolutely imperative that we should give the business men of this country a banking and currency system by means of which they can make use of the freedom of enterprise and of individual initiative which we are about to bestow upon them.

We are about to set them free; we must not leave them without the tools of action when they are free. We are about to set them free by removing the trammels of the protective tariff. Ever since the Civil War they have waited for this emancipation and for the free opportunities it will bring with it. It has been reserved for us to give it to them. Some fell in love, indeed, with the slothful security of their dependence upon the Government; some took advantage of the shelter of the nursery to set up a mimic mastery of their own within its walls. Now both the tonic and the discipline of liberty and maturity are to ensue. There will be some readjustments of purpose and point of view. There will follow a period of expansion and new enterprise, freshly conceived. It is for us to determine now whether it shall be rapid and facile and of easy accomplishment. This it can not be unless the resourceful business men who are to deal with the new circumstances are to have at hand and ready for use the instrumentalities and conveniences of free enterprise which independent men need when acting on their own initiative.

It is not enough to strike the shackles from business. The duty of statesmanship is not negative merely. It is constructive also. We must show that we understand what business needs and that we know how to supply it. No man, however casual and superficial his observation of the conditions now prevailing in the country, can fail to see that one of the chief things business needs now and will need increasingly as it gains in scope and vigor in the years immediately ahead of us is the proper means by which readily to vitalize its credit, corporate and individual, and its originative brains. What will it profit us to be free if we are not to have the best and most accessible instrumentalities of commerce and enterprise? What will it profit us to be quit of one kind of monopoly if we are to remain in the grip of another and more effective kind? How are we to gain and keep the confidence of the business community unless we show that we know how both to aid and to protect it? What shall we say if we make fresh enterprise necessary and also make it very difficult by leaving all else except the tariff just as we found it? The tyrannies of business, big and little, lie within the field of credit. We know that. Shall we not act upon the knowledge? Do we not know how to act upon it? If a man can not make his assets available at pleasure, his assets of capacity and character and resource, what satisfaction is it to him to see opportunity beckoning to him on every hand when others have the keys of credit in their pockets and treat them as all but their own private possession? It is perfectly clear that it is our duty to supply the new banking and currency system the country needs, and it will need it immediately more than it has ever needed it before.

The only question is, When shall we supply it—now or later, after the demands shall have become reproaches that we were so dull and so slow? Shall we hasten to change the tariff laws and then be laggards about making it possible and easy for the country to take advantage of the change? There can be only one answer to that question. We must act now, at whatever sacrifice to ourselves. It is a duty which the circumstances forbid us to postpone. I should be recreant to my deepest convictions of public obligation did I not press it upon you with solemn and urgent insistence.

The principles upon which we should act are also clear. The country has sought and seen its path in this matter within the last few years—sees it more clearly now than it ever saw it before—much more clearly than when the last legislative proposals on the subject were made. We must have a currency, not rigid as now, but readily, elastically responsive to sound credit, the expanding and contracting credits of everyday transactions, the normal ebb and flow of personal and corporate dealings. Our banking laws must mobilize reserves; must not permit the concentration anywhere in a few hands of the monetary resources of the country or their use for speculative purposes in such volume as to hinder or impede or stand in the way

of other more legitimate, more fruitful uses. And the control of the system of banking and of issue which our new laws are to set up must be public, not private, must be vested in the Government itself, so that the banks may be the instruments, not the masters, of business and of individual enterprise and initiative.

The committees of the Congress to which legislation of this character is referred have devoted careful and dispassionate study to the means of accomplishing these objects. They have honored me by consulting me. They are ready to suggest action. I have come to you, as the head of the Government and the responsible leader of the party in power, to urge action now, while there is time to serve the country deliberately and as we should, in a clear air of common counsel. I appeal to you with a deep conviction of duty. I believe that you share this conviction. I therefore appeal to you with confidence. I am at your service without reserve to play my part in any way you may call upon me to play it in this great enterprise of exigent reform which it will dignify and distinguish us to perform and discredit us to neglect. [Applause on the floor and in the galleries.]

At 1 o'clock and 6 minutes p. m. the President and his Cabinet retired from the Hall of the House.

The SPEAKER. The joint convention is dissolved.

Thereupon the Vice President and the Members of the Senate returned to their Chamber.

The SPEAKER. The House will be in order.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 11 minutes p. m.) the House adjourned to meet to-morrow, June 24, 1913, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII.

Mr. HARRISON of New York, from the Committee on Ways and Means, to which was referred the bill (H. R. 1967) regulating the manufacture of smoking opium within the United States, and for other purposes, reported the same with amendment, accompanied by a report (No. 22), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WILSON of Florida: A bill (H. R. 6276) for releasing and quitclaiming of all claims of the United States to arpent lot No. 28, in the old city of Pensacola, Fla.; to the Committee on the Public Lands.

By Mr. WICKERSHAM: A bill (H. R. 6277) to authorize the Secretary of the Treasury of the United States to cause to be sold at auction to the highest bidder a certain wharf site, wharf and buildings thereon, and other tracts of land situate at Sitka, in the Territory of Alaska; to the Committee on the Public Lands.

Also, a bill (H. R. 6278) to provide for the preliminary examination and survey of the mouth of Snake River and the harbor of Nome, Alaska, to cause plans and estimates to be made for the improvement thereof, to make an appropriation to pay for the same, and for other purposes; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6279) to authorize the Secretary of the Treasury to erect a public building at Fairbanks, Alaska, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. LEVY: A bill (H. R. 6280) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, by conferring jurisdiction on the Interstate Commerce Commission over certain contracts and combinations; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: A bill (H. R. 6281) granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes; to the Committee on the Public Lands.

By Mr. HARRISON of New York: A bill (H. R. 6282) to provide for the registration of, with collectors of internal reve-

nue and to impose a special tax upon, all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes; to the Committee on Ways and Means.

By Mr. TEMPLE: A bill (H. R. 6283) to create a national rivers commission; to the Committee on Rivers and Harbors.

By Mr. SMITH of Maryland: A bill (H. R. 6284) providing for a survey for a military and post road from the city of Washington, D. C., to Indianhead, Charles County, Md.; to the Committee on Military Affairs.

By Mr. KAHN: Resolution (H. Res. 180) instructing the Attorney General to transmit to the House of Representatives copies of all correspondence and other memoranda and papers relating to the postponement or delay of trial of cases against the Western Fuel Co.; to the Committee on the Judiciary.

Also, resolution (H. Res. 181) instructing the Attorney General to transmit to the House of Representatives copies of all correspondence and other papers and memoranda relating to the prosecution or trial of Maury Diggs and Drew Caminetti; to the Committee on the Judiciary.

By Mr. HINEBAUGH: Resolution (H. Res. 182) directing the Judiciary Committee to investigate fully and completely the facts in the case of the resignation of United States District Attorney John L. McNab and report their findings to the House of Representatives; to the Committee on the Judiciary.

By Mr. BARTLETT: Joint resolution (H. J. Res. 99) to repeal the provisions of the sundry civil act approved August 24, 1912, relating to vacancies upon the commissions in charge of military parks, and for other purposes; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 100) to continue in effect the provisions of the act of March 9, 1906 (Stat. L., vol. 34, p. 56); to the Committee on Military Affairs.

By Mr. MURRAY of Oklahoma: Joint resolution (H. J. Res. 101) for the maintenance, management, protection, and improvement of Platt National Park, Okla.; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWNING: A bill (H. R. 6285) to carry into effect the findings of the Court of Claims in the claim of the legal representative of James Millingar, deceased; to the Committee on War Claims.

By Mr. CLARK of Missouri: A bill (H. R. 6286) granting an increase of pension to David N. Carmedy; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 6287) granting a pension to Daniel Smith; to the Committee on Pensions.

Also, a bill (H. R. 6288) granting an increase of pension to Constantine Kelley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6289) granting a pension to Sudie Hopkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6290) granting a pension to Penelope A. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6291) granting a pension to Sanford P. Cutler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6292) granting a pension to Robert J. Branch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6293) granting a pension to Martha J. Collier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6294) granting a pension to Thompson P. McCluney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6295) granting a pension to Sanford P. Cutler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6296) granting a pension to Virginia Hager; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6297) granting a pension to William H. Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6298) granting a pension to Joel Harreford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6299) granting a pension to Roseannah Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6300) granting a pension to Thomas G. Butner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6301) granting an increase of pension to James F. Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6302) granting an increase of pension to James Hudgins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6303) granting an increase of pension to Joseph L. Duncan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6304) granting an increase of pension to Eleazar Spyres; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6305) granting an increase of pension to John Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6306) granting an increase of pension to Robert A. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6307) granting an increase of pension to Taylor Hulin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6308) granting an increase of pension to George W. Wade; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6309) granting an increase of pension to Robert L. McMurry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6310) granting an increase of pension to Daniel Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6311) granting an increase of pension to Patrick Gallagher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6312) granting an increase of pension to Samuel S. Brand; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6313) granting an increase of pension to Samantha E. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6314) granting an increase of pension to James K. Dickinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6315) granting an increase of pension to Simon S. Coy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6316) granting an increase of pension to Sarah J. Drummond; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6317) granting an increase of pension to Samuel Owings; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6318) granting an increase of pension to James W. Jackson, alias William Beverly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6319) granting an increase of pension to William J. McGhee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6320) granting an increase of pension to Charles McIntyre; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6321) granting an increase of pension to John C. Bridges; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6322) granting an increase of pension to Oliver Tennis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6323) granting an increase of pension to Levi Covey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6324) granting an increase of pension to Carrick McCain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6325) granting an increase of pension to John Bridge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6326) granting an increase of pension to William H. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6327) granting an increase of pension to Osborn Parrish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6328) granting an increase of pension to John W. Hall; to the Committee on Pensions.

Also, a bill (H. R. 6329) granting an increase of pension to Fields B. Glenn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6330) granting an increase of pension to Lee W. Putnam; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6331) granting an increase of pension to William M. Gregg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6332) granting an increase of pension to John H. Keller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6333) granting an increase of pension to Claudius L. Pyle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6334) granting an increase of pension to Christian B. Old; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6335) granting an increase of pension to Vernon L. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 6336) granting an increase of pension to William Bybee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6337) for the relief of the estate of St. Clair Ogg; to the Committee on War Claims.

Also, a bill (H. R. 6338) for the relief of William R. Coble; to the Committee on War Claims.

Also, a bill (H. R. 6339) for the relief of James M. Mock; to the Committee on Military Affairs.

Also, a bill (H. R. 6340) for the relief of the legal representatives of Oliver C. Joyce; to the Committee on War Claims.

Also, a bill (H. R. 6341) for the relief of the legal representatives of James M. Lindsay; to the Committee on War Claims.

Also, a bill (H. R. 6342) for the relief of Benjamin F. Follin; to the Committee on Military Affairs.

Also, a bill (H. R. 6343) for the relief of the heirs of Joseph F. Brooks, deceased; to the Committee on War Claims.

Also, a bill (H. R. 6344) for the relief of L. D. Force, alias L. D. Foree; to the Committee on War Claims.

Also, a bill (H. R. 6345) for the relief of Mrs. William C. Lucas; to the Committee on War Claims.

Also, a bill (H. R. 6346) for the relief of Alonzo Rich; to the Committee on Military Affairs.

Also, a bill (H. R. 6347) for the relief of Ivory F. Johnson; to the Committee on Military Affairs.

Also, a bill (H. R. 6348) for the relief of Dewitt C. Blanchard; to the Committee on Military Affairs.

Also, a bill (H. R. 6349) for the relief of James Cahalan; to the Committee on Military Affairs.

Also, a bill (H. R. 6350) for the relief of James T. Ellis; to the Committee on Military Affairs.

Also, a bill (H. R. 6351) to correct the military record of William J. McGhee; to the Committee on Military Affairs.

Also, a bill (H. R. 6352) to carry into effect the findings of the Court of Claims in the matter of the claim of John B. Harrelson, administrator of the estate of Nathan E. Harrelson, deceased; to the Committee on War Claims.

Also, a bill (H. R. 6353) to carry into effect the findings of the Court of Claims in the matter of the claim of Elijah B. Hammon-tree, administrator of the estate of John Hammon-tree, deceased; to the Committee on War Claims.

By Mr. FERRIS: A bill (H. R. 6354) for the relief of James D. Hutton and others; to the Committee on the Public Lands.

By Mr. HENSLEY: A bill (H. R. 6355) for the relief of Irenus Hovis; to the Committee on War Claims.

Also, a bill (H. R. 6356) for the relief of the heirs of Alexander Ward, deceased; to the Committee on War Claims.

By Mr. KELLY of Pennsylvania: A bill (H. R. 6357) granting a pension to D. C. Creese; to the Committee on Pensions.

Also, a bill (H. R. 6358) granting a pension to Anna K. Rhoades; to the Committee on Pensions.

Also, a bill (H. R. 6359) granting a pension to Catherine E. McDonald; to the Committee on Pensions.

Also, a bill (H. R. 6360) granting a pension to John L. Murphy; to the Committee on Pensions.

Also, a bill (H. R. 6361) for the relief of Revilow N. Spohn; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 6362) granting an increase of pension to Calvin S. Mullins; to the Committee on Invalid Pensions.

By Mr. LEE of Pennsylvania: A bill (H. R. 6363) granting an increase of pension to John W. Becker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6364) granting an increase of pension to Andrew Moran; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6365) granting an increase of pension to Robert F. Potter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6366) to correct the military record of James Boyd; to the Committee on Military Affairs.

By Mr. SMITH of Maryland: A bill (H. R. 6367) for the relief of the heirs of Edgar H. Bates; to the Committee on Claims.

By Mr. TAVENNER: A bill (H. R. 6368) granting a pension to Henry M. Rulon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6369) granting an increase of pension to James N. Fugate; to the Committee on Invalid Pensions.

By Mr. WILSON of Florida: A bill (H. R. 6370) granting a pension to John J. Boggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6371) for the relief of H. W. Reddick; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE: Petition of the Turlock irrigation district, Turlock, Cal., protesting against the diversion of any and all waters from the watershed of the Tuolumne; to the Committee on Rivers and Harbors.

By Mr. DICKINSON: Petition of Lycurgus Fooch, of Chilhowee, Mo., protesting against additional pension at this time; to the Committee on Invalid Pensions.

By Mr. HELGESEN: Petition of sundry business men of Egeland, Rollette, Starkweather, Cando, and Alice, N. Dak., all favoring the passage of legislation compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Interstate and Foreign Commerce.

By Mr. HENSLEY: Petition of sundry citizens of Fredericktown, Mo., protesting against the passage of House bill 4653; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT: Petition of the people of the Turlock irrigation district, to protect waters of the Tuolumne; to the Committee on Rivers and Harbors.

By Mr. ROGERS: Petition of the Jewelers' Association of Boston, protesting against the provisions of House bill 2972 which forbids the guaranteeing of watchcases to wear for a term of years; to the Committee on Interstate and Foreign Commerce.

By Mr. TAVENNER: Petition of R. E. Swanson, Rock Island, Ill., protesting against exempting mutual life insurance companies from the income-tax bill; to the Committee on Ways and Means.

By Mr. TOWNSEND: Petition of the Socialist Party of the State of New Jersey, relating to deprivation of the rights of a citizen of the United States; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

TUESDAY, June 24, 1913.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father of all souls, preserver of life, source of all good, keep these Thy servants and their respective families in health and strength that as representatives of a great people they may render faithful and efficient service to their country; that the measures they enact into law may reduce evil and promote the influence of good; that the hearts of our people may rejoice in peace and prosperity, and everlasting praise we will give unto Thee in gratitude and love; through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

BRAZIL.

The SPEAKER. The Chair lays before the House a letter from the Secretary of State, transmitting a communication from the president of the Chamber of Deputies of the United States of Brazil. The Secretary of State has been kind enough to have attached to the original communication, which is in Portuguese, a translation of it into English. There being no one in the House who understands Portuguese, the Clerk will read the letter of the Secretary of State and also the translation of the communication from the president of the Chamber of Deputies of Brazil.

The Clerk read as follows:

DEPARTMENT OF STATE,
Washington, June 17, 1913.

The Hon. CHAMP CLARK,
Speaker of the House of Representatives.

SIR: The inclosed message addressed by Senhor Sabino Barros, president of the Chamber of Deputies of the United States of Brazil, to the President of Congress was forwarded to this department from the White House, where it appears to have been erroneously delivered. I have the honor to inclose it, with a translation into English, for the information of the House of Representatives.

I have the honor to be, sir,

Your obedient servant,

W. J. BRYAN.

[Translation.]

PRESIDENT CONGRESS, Washington, United States:

I have the honor to apprise Your Excellency that the Chamber of Deputies of the United States of Brazil at its session of to-day, on the motion of the diplomacy committee, supported by Deputy Coelho Netto, approved the following resolution:

"We desire that through its officers the Chamber of Deputies express by telegram to the American Congress the gratitude of the Brazilian people for the gracious reception given on the territory of the United States to Dr. Lauro Muller, ambassador of the Brazilian Republic, on a mission of friendship."

I avail myself of this opportunity to present to Your Excellency my personal salutations.

SABINO BARROS,
President Chamber Deputies.

The original communication is as follows:

[Telegram.]

RIO JANEIRO, June 13, 1913—10.05 p. m.

PRESIDENTE CONGRESSO,
Washington, Estados Unidos:

Tenho a honra de comunicar a v. ex. que a camara dos snrs. deputados dos Estados Unidos do Brasil na sessão de hoje por proposta da comissão de diplomacia justificada, pelo snr. deputado Coelho Netto, aprovou a seguinte moção: Queremos que por intermedio da nossa camara dos deputados demonstra por telegramma ao Congresso Americano a gratidão do povo brasileiro pela gentileza com que foi acolhido no territorio dos Estados Unidos o Dr. Lauro Muller, ambaxador da Republica brasileira, em missão de amizade. Aproveito o ensejo para apresentar v. ex. as minhas saudações pessoais.

SABINO BARROS,
Presidente Camara Deputados.

Mr. MANN. Mr. Speaker, should not that communication be referred to the Committee on Foreign Affairs?

The SPEAKER. The Chair thinks perhaps it should. Anyway, it will do no harm to refer it, and the Chair will do so.